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State of Rhode Island.

LAWS PERTAINING TO EDUCATION.

COMPILED BY

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EXTRACTS

FROM THE

Constitution of Rhode Island.

ARTICLE I.

Declaration of Rights.

Section
2. Object of government.—How laws should be made and burdens distributed.
3. Religious freedom secured.

ARTICLE IX.

Qualifications for Office.

Section
1. Qualified electors only eligible.

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Section
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3. Donations for support of public schools.
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PREAMBLE.

WE, the people of the State of Rhode Island and Providence Plantations, grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and to transmit the same unimpaired to succeeding generations, do ordain and establish this constitution of government. Preamble.

ARTICLE I.

Declaration of Certain Constitutional Rights and Principles.

In order effectually to secure the religious and political freedom established by our venerated ancestors, and to pre- Declaration.

Right of the people to make and alter their constitution.

serve the same for our posterity, we do declare that the essential and unquestionable rights and principles hereinafter mentioned shall be established, maintained and preserved, and shall be of paramount obligation in all legislative, judicial and executive proceedings.

Objects of free governments. How laws should be made.

SECTION 2. All free governments are instituted for the protection, safety and happiness of the people. All laws, therefore, should be made for the good of the whole; and the burdens of the state ought to be fairly distributed among its citizens.

Religious freedom secured.

SEC. 3. Whereas Almighty God hath created the mind free; and all attempts to influence it by temporal punishments or burdens, or by civil incapacitations, tend to beget habits of hypocrisy and meanness; and whereas a principal object of our venerable ancestors, in their migration to this country and their settlement of this state, was, as they expressed it, to hold forth a lively experiment, that a flourishing civil state may stand and be best maintained with full liberty in religious concernments: we, therefore, declare that no man shall be compelled to frequent or to support any religious worship, place, or ministry whatever, except in fulfillment of his own voluntary contract; nor enforced, restrained, molested, or burdened in his body or goods; nor disqualified from holding any office; nor otherwise suffer on account of his religious belief; and that every man shall be free to worship God according to the dictates of his own conscience, and to profess and by argument to maintain his opinion in matters of religion; and that the same shall in no wise diminish, enlarge, or affect his civil capacity.

ARTICLE IX.

Of Qualifications for Office.

SECTION 1. No person shall be eligible to any civil office,

(except the office of school committee), unless he be a qualified elector for such office. Qualified electors only eligible.

ARTICLE XII.

Of Education.

SECTION 1. The diffusion of knowledge, as well as of virtue, among the people, being essential to the preservation of their rights and liberties, it shall be the duty of the general assembly to promote public schools, and to adopt all means which they may deem necessary and proper to secure to the people the advantages and opportunities of education. Duty of the general assembly to promote public schools and education.

SEC. 2. The money which now is or which may hereafter be appropriated by law for the establishment of a permanent fund for the support of public schools, shall be securely invested, and remain a perpetual fund for that purpose. The permanent public school fund.

SEC. 3. All donations for the support of public schools, or for other purposes of education, which may be received by the general assembly, shall be applied according to the terms prescribed by the donors. Donations for support of public schools.

SEC. 4. The general assembly shall make all necessary provisions by law for carrying this article into effect. They shall not divert said money or fund from the aforesaid uses, nor borrow, appropriate, or use the same, or any part thereof, for any other purpose, under any pretence whatsoever. Power of the general assembly under this article.

EXTRACTS FROM THE GENERAL LAWS

OF THE

State of Rhode Island

PERTAINING TO

EDUCATION.

CHAPTER 6.

Of the Rights and Qualifications of Voters.

SECTION
1. Classification of voters as registered and unregistered, and their rights to vote.

SECTION
2. Right to vote on real estate, situated in town other than that in which voter resides.

Classification of voters as registered and unregistered.

SECTION 1. The two following classes of persons have, by the constitution, the first as registered and the second as unregistered voters, a right to vote in the election of all civil officers, and on all questions in all legally organized town, ward or district meetings :—

Registered voters, including personal property voters.

First, Every male citizen of the United States, of the age of twenty-one years, who has had his residence and home in this state for two years, and in the town or city, in which he may offer to vote, six months next preceding the time of his voting, and whose name shall be registered, in the town or

city where he resides, on or before the last day of December in the year next preceding the time of his voting: *Provided*, that no person shall at any time be allowed to vote in the election of the city council of any city, or upon any proposition to impose a tax or for the expenditure of money in any town or city, unless he shall within the year next preceding have paid a tax assessed upon his property therein, valued at least at one hundred and thirty-four dollars.

Unregistered, or real estate voters.

Second, Every male citizen of the United States, of the age of twenty-one years, who has had his residence and home in this state for one year, and in the town or city, in which he may claim a right to vote, six months next preceding the time of voting, and who is really and truly possessed in his own right of real estate in such town or city of the value of one hundred and thirty-four dollars over and above all incumbrances, or which shall rent for seven dollars per annum over and above any rent reserved or the interest of any incumbrances thereon, being an estate in fee-simple, fee-tail, for the life of any person, or an estate in reversion or remainder, which qualifies no other person to vote, the conveyance of which estate, if by deed, shall have been recorded at least ninety days.

Persons entitled to vote in a town for general officers, etc., upon real estate in another town.

SEC. 2. The following class of persons have, by the constitution, as unregistered voters, a right to vote in the election of all general officers and members of the general assembly, in the town or city in which they shall have had their residence and home for the term of six months next preceding the election:—

Every male citizen of the United States, of the age of twenty-one years, who has had his residence and home in this state for one year, and shall own any such real estate within this state, but out of the town or city in which he resides, as is described in the second clause of the first section of this chapter, and who shall produce a certificate from the

clerk of the town or city in which his estate lies, bearing date within ten days of the time of his voting, setting forth that such person has a sufficient estate therein to qualify him as a voter, and that the deed, if any, has been recorded ninety days.

CHAPTER 7.

Of the Registering, Listing and Returning Lists of Voters, and of Proof of their Qualification to Vote.

SECTION
2. Registry voters to register themselves annually.
3. Names of property taxpayers to be put on voting list; and annual registry not required.
8. Proof of payment of taxes.
12. Town clerks, etc., to furnish certified copies of lists of voters on demand, etc.
13. Town clerks to give certified copies of registration of voters and other records.
14. Electors entitled to certified lists of persons paying taxes, etc., and penalty for refusal to furnish same.

Registry voters are to register themselves annually.

SECTION 2. Every person who is or within a year may be qualified to vote, upon being registered, shall go to the town clerk of the town in which he resides, and shall annually, on or before the last day of December, register his name, and thereby certify to the truth of the facts stated in the appropriate heads of such registry. Every person who shall knowingly make any false certificate in registering his name in any such registry book shall be fined not exceeding fifty dollars, or be imprisoned not exceeding sixty days: *Provided*, that before any person's name shall be placed upon the voting list, if such citizen shall be of foreign birth, he shall file proof, at least five days before any meeting of the board of canvassers, with the town clerk, that he is a citizen of the United States, and such proof shall be subject to the approval of the board of canvassers of the town or ward wherein such person shall claim the right to vote.

Penalty for false certificate.

Persons of a foreign birth to file proof of citizenship.

Names of property taxpayers to be put on voting lists; and annual registry not required.

SEC. 3. The several town and ward clerks shall annually place upon the voting list the names of the several persons who have previously been upon the voting list, according to the provisions of this chapter, against whom a property tax to the amount of one dollar or upwards shall have been assessed; and such persons need not register their names annually as is required of persons not paying a property tax.

Proof of the payment of taxes.

SEC. 8. The proof of the payment of taxes upon real estate or personal property shall be the certificate of the collector of taxes or town treasurer; and the receipt or returns of the collector of taxes shall be sufficient evidence for the purpose of procuring the certificate of the town treasurer. In case of a school-district or highway tax, when by law the same may be paid, whether in money or labor, to a surveyor of highways or to a district collector, the receipt of such surveyor or district collector shall be sufficient evidence of such payment for the purpose of procuring the certificate of the collector of taxes or of the town treasurer.

Town clerks, etc., to furnish certified lists of voters, on demand and tender of fee.

SEC. 12. Every town, ward or district clerk, upon payment or tender of his legal fees, which shall be the same for the ward and district clerks as for the town clerks, shall furnish to any one demanding the same a certified copy of any list of voters whose votes have been given in at any election.

Also a certified copy of registration of voters and other records.

SEC. 13. Every town clerk shall, upon like payment or tender, furnish to any person demanding the same a certified copy of any registration of voters, and shall also, upon request of any person and tender of legal fees, and without any unreasonable delay, examine the records and certify to the estate of any person, and shall furnish copies of any instrument or writing which may be on record or in the files of his office.

Electors are entitled to certified lists of persons pay-

SEC. 14. Every officer authorized to receive taxes shall, upon like request and payment or tender, and without un-

ing taxes, upon request and tender of fee therefor.

reasonable delay, furnish to any elector a certified list of those who have paid to him state and town taxes, and the amounts and times of such payments; and shall grant certificates setting forth whether a certain person has or has not paid to him such taxes, and, if paid, to what amount and at what time; and every such officer who shall refuse or unreasonably delay to furnish such lists or certificates, upon payment or tender as aforesaid, shall for every such offence be fined not less than twenty-five dollars nor more than two hundred dollars.

Penalty.

CHAPTER 25.

Of Oaths, and by whom Administered.

SECTION
5. Form of engagement.
9. Who may administer oaths throughout the state.
10. Who may administer oaths within their respective counties and towns.
11. Who may administer oaths in connection with their offices.

Certain officers, form of engagement of.

SECTION 5. Every person, except the justices of the supreme court, elected to office by the general assembly, or by either house thereof, or by any town or town council, or under the provisions of the law in relation to public schools, or appointed to office, civil or military, by the governor, shall, before he shall act therein, take the following engagement before some person authorized to administer oaths, namely: I, [*naming the person*], do solemnly swear (*or*, affirm) that I will faithfully and impartially discharge the duties of the office of [*naming the office*] according to the best of my abilities, and that I will support the constitution and laws of this state, and the constitution of the United States, so help me God: [*Or:* This affirmation I make and give upon the peril of the penalty of perjury].

SEC. 9. The following persons may administer oaths any-

Oaths, who may administer throughout the state.

where within the state: The governor, lieutenant-governor, secretary of state, attorney-general, assistant attorney-general, general treasurer, justices of the supreme court, speaker of the house of representatives, commissioners appointed by other states to take acknowledgments of deeds and depositions within this state, notaries public, the railroad commissioner, the insurance commissioner, and the commissioners of shell fisheries.

Who, within their respective counties and towns.

SEC. 10. The following persons may administer oaths within the respective counties and towns for which they may be elected to office: Clerks of courts, state senators, justices and assistant justices of the district courts, justices of the peace, mayors of cities, judges of probate, presidents of town councils, or persons acting as such, town clerks and town wardens.

Who, in matters connected with their offices.

SEC. 11. The following persons may administer oaths in relation to all matters connected with, or in administering the duties of, their respective offices: The school commissioner, foreman of grand juries, members of committees of either house of the general assembly or of joint committees thereof, chairmen of committees of either board of a city council or of joint committees thereof, members of town councils, auditors, referees, masters in chancery, clerks of school districts, commissioners on insolvent estates, members of the board of state charities and corrections, coroners, deputy-coroners, assessors of taxes, the presiding officer of the state board of pharmacy, general and field officers, judge advocate-general and brigade judge-advocate.

CHAPTER 26.

Of the Construction of Statutes.

SECTION
1. Rules of construction, when to be applied.
2. Genders.
3. Numbers.
4. Joint authority of three or more authorizes a majority.
5. "Person."
6. "Insane person."
7. "United States."
8. "Town," "town council," "town clerk," "ward clerk," "town treasurer," "town sergeant."
9. "Land" or "lands," "real estate."
10. "Oath," "sworn," "engaged."
11. "Month," "year."
12. Computation of time.
13. "Justice of the peace," "district court."
14. "Seal."
15. Acts of incorporation are public acts for purposes of pleading.
16. Repeal, effect of, in civil cases.
18. Repeal not to revive statutes repealed.
19. Statutes, when to take effect.

Rules of construction, when to be applied.

SECTION 1. In the construction of statutes the provisions of this chapter shall be observed, unless the observance of them would lead to a construction inconsistent with the manifest intent of the general assembly, or be repugnant to some other part of the same statute.

Genders.

SEC. 2. Every word importing the masculine gender only, may be constructed to extend to and to include females as well as males.

Numbers.

SEC. 3. Every word importing the singular number only, may be construed to extend to and to include the plural number also; and every word importing the plural number only, may be constructed to extend to and to embrace the singular number also.

Joint authority to any three or more is authority to the majority.

SEC. 4. All words purporting to give a joint authority to three or more officers or persons shall be so construed as to give such authority to a majority of them.

"Person."

SEC. 5. The word "person" may be construed to extend to and include copartnerships and bodies corporate and politic.

"Insane person."

SEC. 6. The words "insane person" shall be construed to include every idiot, person of unsound mind, lunatic and distracted person.

"United States."

SEC. 7. The words "United States" shall be construed to include the several states and the territories of the United States.

"Town."

"Town council."

"Town clerk."

"Ward clerk."

"Town treasurer."

"Town sergeant."

SEC. 8. The word "town" may be construed to include city, or the District of Narragansett; the words "town council," board of aldermen or the district council of the District of Narragansett; the words "town clerk," city clerk or the clerk of the District of Narragansett; the words "ward clerk," clerk of election district; the words "town treasurer," city treasurer or the treasurer of the District of Narragansett; and the words "town sergeant," city sergeant or the district sergeant of the District of Narragansett.

"Land," or "lands."

"Real estate."

SEC. 9. The word "land" or "lands," and the words "real estate," may be construed to include lands, tenements and hereditaments, and rights thereto and interests therein.

"Oath," "sworn," "engaged."

SEC. 10. The word "oath" shall be construed to include affirmation; the word "sworn," affirmed; and the word "engaged," either sworn or affirmed.

"Month." "Year."

SEC. 11. The words "month" and "year" shall be construed to mean a calendar month and year.

Computation of time.

SEC. 12. Whenever time is to be reckoned from any day, date, or act done, or the time of any act done, such day, date, or the day when such act is done, shall not be included in such computation.

"Justice of the peace." "District court."

SEC. 13. The words "justice of the peace" may be construed to include warden of the peace, and the words "district court" to include warden's court.

"Seal."

SEC. 14. Whenever a seal is required to be affixed to any paper, the word "seal" shall be construed to include an impression of such seal made with or without the use of wax or wafer on the paper.

Acts of incorporation are public acts for purposes of pleading.

SEC. 15. Every act of incorporation shall be so far deemed a public act, that the same may be declared on and given in evidence, without specially pleading the same.

Repeal, effect of, in civil cases.

SEC. 16. The repeal of any statute shall in no case affect any act done, or any right accrued, acquired or established, or any suit or proceeding had or commenced in any civil case before the time when such repeal shall take effect.

Repeal not to revive statutes repealed.

SEC. 18. The repeal of any statute shall not be construed to revive any other statute which has been repealed.

Statutes, when to take effect.

SEC. 19. Every statute which does not expressly prescribe the time when it shall go into operation, shall take effect on the tenth day next after the rising of the general assembly at the session thereof at which the same shall be passed.

CHAPTER 30.

Of the Permanent School Fund.

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1. Custody and investment.
2. Money from auctioneers to be added to the fund.
3. School money forfeited by towns, to be added to the fund.
4. Additions, how they are to be invested.
5. Income to be appropriated for support of public schools.

Custody and investment of the school fund.

SECTION 1. The general treasurer, with the advice of the governor, shall have full power to regulate the custody and safe keeping of the fund now constituting the permanent fund for the support of public schools, and shall keep the same securely invested in the capital stock of some safe and

responsible bank or banks or in bonds of towns or cities within this state.

Money paid to the state by auctioneers, to be added to the fund.

SEC. 2. The money that shall be paid into the state treasury by auctioneers, for duties accruing to the use of the state, is aproppriated, and the same shall annually be added to said school fund, for the permanent increase thereof.

School money forfeited by the towns to be added to the fund.

SEC. 3. Whenever any money appropriated to any town from the state treasury, for the support of public schools therein, shall have been forfeited by such town, the same shall be added to said school fund, and shall forever remain a part thereof.

Additions, how to be invested.

SEC. 4. The general treasurer, with the advice of the governor, shall from time to time securely invest all sums of money hereby directed to be added to said fund, in the capital stock of some safe and responsible bank or banks or in bonds of any town or city within this state.

Income to be appropriated for support of schools.

SEC. 5. The income arising from said fund so invested shall annually be appropriated for the support of public schools in the several towns.

CHAPTER 31.

Of the Public Records.

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SECTION
2. Penalty for neglect by other than the lawful custodian, to deliver official records, etc.

Officers to deliver official records, etc., to their successors in office, or to secretary of state, when.

SECTION 1. Every person who shall hold a public office shall, upon leaving the same, deliver to his successor in office, or, if there be no successor, to the secretary of state, all records, books, writings, letters and documents, kept or re-

ceived by him in the transaction of his official business, and all moneys in his hands which he shall have received as trust funds from any person or otherwise in the course of his official business; and every such person who shall, without just cause, refuse or neglect for the space of ten days after request made in writing by any citizen of the state, to deliver as herein required such records, books, writings, letters or documents, or to pay over such moneys, to the person authorized to receive the same, shall be fined not exceeding five hundred dollars and be imprisoned not exceeding five years.

Penalty for neglect, etc., without cause.

Penalty for neglect by other than lawful custodian, to deliver official records, etc.

SEC. 2. Every person, other than the lawful custodian thereof, who shall have in his possession, or under his control, any such record, book, writing, letter or document as is designated in section one of this chapter, and who shall, without just cause, refuse or neglect for the space of ten days after request made in writing by any citizen of the state, to deliver such record, book, writing, letter or document to the lawful custodian of the same, shall be fined not exceeding five hundred dollars and be imprisoned not exceeding five years.

CHAPTER 36.

Of the Powers of, and of Suits by and against, Towns.

SECTION
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5. Towns may establish free public libraries.
6. May appropriate money for the maintenance, etc., of such libraries.
7. May appropriate money for free public library not its own.
21. Town indebtedness limited to three per centum of taxable property.
22. Town taxes limited to one per centum of ratable property.

Towns may grant money for schools, schoolhouses, and school libraries.

SECTION 4. Towns may, at any legal meeting, grant and vote such sums of money as they shall judge necessary:—

* * * * * * * * *

For the support of schools, purchase of sites for and the building and repair of schoolhouses ; and for the establishing and maintaining of school libraries ;

* * * * * * *

Power of, to establish free public libraries.

SEC. 5. The electors in any town or city qualified to vote upon any proposition to impose a tax, or for the expenditure of money in such town or city, may, by a majority vote of such electors voting at the annual meeting for the election of town officers, or members of the city council therein, appropriate a sum not exceeding twenty-five cents on each one hundred dollars of the ratable property of such city or town in the year next preceding such appropriation, for the foundation therein of a free public library, with or without branches, for all the inhabitants thereof, and to provide suitable rooms for such library, which shall be used under such regulations as may from time to time be prescribed by the town council of such town, or city council of such city.

May appropriate for maintenance of such libraries.

SEC. 6. Any town or city having established a free public library therein, in manner as aforesaid, may annually, by the majority vote of the electors of said town, qualified as aforesaid and voting on the proposition, or by vote of the city council of said city, appropriate a sum not exceeding thirty cents on each one thousand dollars of its ratable property, in the year next preceding such appropriation, for the maintenance and increase of such library therein, and may take, receive, hold and manage any devise, bequest or donation for the establishment, increase or maintenance of a public library therein, to be under such regulations for its government, when they are not prescribed by its donor, as may from time to time be prescribed by the town council of such town, or the city council of such city.

May appropriate for free public library not its own.

SEC. 7. Every town not owning a free public library may, at the annual town meeting, appropriate a sum not exceeding thirty cents on each one thousand dollars of its ratable

property in the year next preceding such appropriation, for the maintenance and increase of any free public library therein.

Limitation of town's indebtedness.

SEC. 21. No town shall, without special statutory authority therefor, incur any debt in excess of three per centum of the taxable property of such town, including the indebtedness of such town on the tenth day of April, one thousand eight hundred seventy-eight, but the giving of a new note or bond for a pre-existing debt, or for money borrowed and applied to the payment of such pre-existing debt, is excepted from the provisions of this section, and the amount of any sinking fund shall be deducted in computing such indebtedness.

Limitation of town taxes.

SEC. 22. No town shall assess its ratable property in any one year in excess of one per centum of its ratable value, except for the purpose of paying the indebtedness of such town or the interest thereon, or for appropriations to any of the sinking funds, or for extraordinary repairs for damages caused by the elements; but assessments for specific benefits conferred by the opening or improving of any public highway, or for any public sewer, shall not be taken to be within the provisions of this section.

CHAPTER 43.

Of the Establishment and Control of Free Public Libraries by Towns.

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2. Town or city council to elect trustees, and may fill vacancies.
3. Duties and powers of trustees.
4. Appropriation for support of library to be made annually.
5. Trustees to accept and receipt for legacies.

SECTION 1. In case any library, or funds for the establishment thereof, may be offered to any city or town on the con-

dition that said library shall be maintained as a free public library, the city council of any city, or town council of any town, is hereby authorized to accept such gift in behalf of the city or town.

Town or city council may accept gift of public library or funds for.

SEC. 2. Whenever any city or town shall establish a free public library, or shall become possessed, as above provided, of any such library, the aforesaid city council or town council, as the case may be, shall proceed to elect a board of trustees, to consist of not less than three members nor more than seven. As soon as possible after the election of the first board the members thereof shall meet and be divided by lot into three groups or classes, the terms of office of one group expiring in one year from the date of their election, those of another group in two years, and those of the remaining group in three years. With the expiration of the term of office of any member the vacancy shall be filled by the city council or town council, as the case may be, for the term of three years. Vacancies occurring by resignation, removal, death, or otherwise, shall be filled as above for the unexpired term thereof.

Town or city council to elect trustees.

Division of trustees.

Vacancies, how filled.

SEC. 3. The aforesaid trustees shall take possession of said library, and shall thereafter be the legal guardians and custodians of the same. They shall provide suitable rooms for the library, arrange for the proper care of the same, choose one or more competent persons as librarians and fix their compensation, and make all needful rules and regulations for the government of the library and the use of the books: *Provided*, that no fee for the use of the books shall ever be exacted.

Trustees to provide for care of library

SEC. 4. Each city or town acting under this chapter shall annually appropriate for the support of the public library an amount at least as much as that which the library shall receive from the state. All appropriations from the city or

Appropriation for, by town.

Trustees are to control funds.

town and state, and the income of all funds belonging to the library, shall be subject to the exclusive control of the trustees, and the several city and town treasurers shall pay, within the limits of the appropriations and other library funds in their hands, all bills properly certified by the said trustees.

Trustees to accept and receipt for legacies.

SEC. 5. In case of any bequest, legacy, or gift to, or in favor of, a public library, the trustees thereof are hereby authorized and empowered to accept the same in behalf of, and for the use of, the library, and their receipt shall be a full and sufficient discharge and release to any executor, administrator, or other person authorized to make the payment thereof.

CHAPTER 44.

Of Property Liable to and Exempt from Taxation.

SECTION
1. Property liable to taxation.
SECTION
2. Property exempt from taxation.

All property is liable, unless exempted.

SECTION 1. All real property in the state and all personal property belonging to the inhabitants thereof shall be liable to taxation unless otherwise specially provided.

Property exempt from taxation.

SEC. 2. The following property and no other, shall be exempt from taxation: Property belonging to the state; lands ceded or belonging to the United States; buildings for free public schools, buildings for religious worship and the land upon which they stand and immediately surrounding the same, to an extent not exceeding one acre, so far as said buildings and land are occupied and used exclusively for religious or educational purposes; the buildings and personal estate owned by any corporation used for a school, academy or seminary of learning, and of any incorporated

School property.

public charitable institution, and the land upon which said buildings stand and immediately surrounding the same, to an extent not exceeding one acre, so far as the same is used exclusively for educational purposes, but no property or estate whatever shall hereafter be exempt from taxation, in any case, where any part of the income or profits thereof or of the business carried on thereon, is divided among its owners or stockholders; the estates, persons and families of the president and professors, for the time being, of Brown University, for not more than ten thousand dollars for each such officer, his estate, person and family included; property specially exempt by charter, unless such exemption shall have been waived in whole or in part; lots of land used exclusively for burial grounds; the property, real and personal, held for or by any incorporated library society, or any free public library, or any free public library society, so far as said property shall be held exclusively for library purposes, or for the aid or support of poor friendless children, or for the aid or support of the aged poor, or for the aid or support of the poor generally, or for a hospital for the sick or disabled, and any fund given or held for the purpose of public education; almshouses and the land and buildings used in connection therewith, except that almshouse-estates, when belonging to the town, shall be subject to taxation for school purposes, in the school district in which they are situated; the estate of any person who in the judgment of the assessors is unable, from infirmity or poverty, to pay the tax; the bonds and other securities issued and exempted from taxation by the government of the United States.

CHAPTER 47.

Of Assessing and Collecting Poll Taxes.

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1. Poll tax to be assessed, when, and upon whom.
2. Assessors entitled to certain information from inhabitants of towns and cities.
SECTION
Penalty for refusing to give such information.
3. Collection of poll tax. Tax to be applied to support of public schools.

Poll tax to be assessed, when, and upon whom.

SECTION 1. The assessors of taxes of each town and city shall, at the time of the annual assessment of town and city taxes therein respectively, assess against every person in said town or city, who, if registered, would be qualified to vote, a tax of one dollar, or so much thereof as with his other taxes shall amount to one dollar.

Assessors entitled to certain information from the inhabitants of towns and cities.

SEC. 2. The assessors of taxes of each town or city, or either of them, or any person by them authorized, may, at any time within three months preceding the time of assessing the poll tax in their respective towns or cities, require from any and every inhabitant of such town or city such information as may be deemed necessary by them, or either of them, to enable said assessors to decide whether or not any inhabitant is liable to assessment for said tax; and any person who shall refuse to give such information, or shall wilfully make any false statements for the purpose of deceiving in the giving of such information, shall be punished by fine not exceeding twenty dollars, or imprisonment in the county jail for a term not exceeding ninety days.

Penalty for refusing to give such information.

Collection of poll tax.

SEC. 3. The assessors of taxes on completing the assessment of taxes as prescribed in this chapter, shall date and sign, and within three days thereafter deposit the same in the office of the town clerk, except in the city of Providence, and in the city of Providence deposit the same with the city treasurer thereof. The town clerk shall forthwith make a copy of the same and deliver it to the town treasurer, and

the town treasurer shall forthwith issue and affix to said copy a warrant under his hand, and which need not be under seal, directed to the collector of taxes of the town commanding him to proceed and collect the several sums of money therein expressed, of the persons liable therefor, by the time directed by the town, and to pay over the same to him or to his successor in office. Whenever any town shall elect its town treasurer collector of taxes for such town, such warrant shall be issued to the town treasurer as collector of taxes by the town clerk. The tax assessed according to the provisions of this chapter, shall be applied to the support of the public schools in such town or city.

Tax to be applied to public schools.

CHAPTER 48.

Of the Collection of Taxes.

SECTION

2. Taxes a lien on real estate.
3. Lien, how long to continue.
7. Tax may be collected from either real or personal estate.
9. Collector may advertise and sell.
10. Real estate may be sold after notice; notice how given.
11. Notice, how given in case of residents.
12. Notice to persons not taxed who have an interest in the property taxed.
13. If non-residents, a copy of notice to be sent by mail.
14. Entry upon the land not necessary; return to be made to town clerk under oath; effect of return.
15. Deed of real estate sold by collector or sheriff for taxes, what title vests in purchaser.
16. Owner may redeem within one year.

SECTION

17. Collector may distrain and sell personal property.
18. Property exempt from distraint.
19, 20. Sales of personal property; notice of, how given.
21. Property to be sold by auction if tax is not paid.
22. Surplus to be returned to owner.
23. Collector may remove personal property for sale.
24. May follow persons or property to any town.
25. Sale may be adjourned.
26. Collector may recover tax, how.
27. Judgment, execution and levy.
28. Proceedings, where person taxed is out of state.
29. Warrant of distress to issue, when.
34. Warrant is in force until tax is collected.
35. Collector may require aid.

SECTION 2. All taxes assessed against any person in any town for either personal or real estate shall constitute a lien on his real estate therein.

Taxes a lien on real estate.

Lien to continue, how long.

SEC. 3. All taxes assessed against the owner of any real estate shall constitute a lien on such real estate in any town, for the space of two years after the assessment, and, if such real estate be not aliened, then until the same is collected.

Tax may be collected from real or personal estate.

SEC. 7. If any person is taxed for several parcels of real estate, or for personal and real estate in the same tax, the whole of such person's tax may be collected, either out of the real or personal estate, or any part thereof: *Provided*, that no land aliened shall be sold, if the person taxed have other sufficient property.

Collector may advertise and sell.

SEC. 9. The collector may advertise and sell any real estate liable for taxes in the manner hereinafter directed.

Real estate may be sold after notice.

SEC. 10. In all cases where any parcel of real estate is liable for payment of taxes, so much thereof as is necessary to pay the tax, interest, costs and expenses, shall be sold by the collector, at public auction, to the highest bidder, after notice has been given of the levy, and of the time and place of sale, in some newspaper published in the town, if there be one, and if there be no newspaper published in the town, then in some newspaper published in the county, at least once a week for the space of three weeks, and the collector shall also post up notices in two or more public places in the town for the same period.

Notice of sale, how to be given.

How given in case of residents.

SEC. 11. If the person to whom the estate is taxed be a resident of this state, the collector shall, in addition to the foregoing, cause notice of his levy, and of the time and place of sale, to be left at his last and usual place of abode, or personally served on him, at least twenty days previous to the day of sale.

Notice to persons not taxed, who have an interest.

SEC. 12. In case the collector shall advertise for sale any property, real, personal or mixed, in which any person other than the person to whom the tax is assessed has an interest,

he shall, provided the interest of such other person appears upon the records of the town, leave a copy of the notice of such sale at the last and usual place of abode, or personally with such other person, if within this state, twenty days prior to the time of such sale.

Non-residents to have notice by mail.

SEC. 13. If such other person have no last and usual place of abode within this state, then a copy of said notice shall be sent by mail to such person, at his place of residence, if known, twenty days prior to the time of such sale.

Entry not necessary.

SEC. 14. No entry upon the land by the collector shall be deemed necessary; but the collector, in all cases of sales of real estate, shall make a return of all his proceedings under oath into the town clerk's office, within ten days after the sale; which return shall be evidence of the facts therein stated.

What title vested by sale for taxes.

SEC. 15. The deed of any real estate, or of any interest therein, sold for the payment of taxes, made and executed by the sheriff or collector who shall sell the same, shall vest in the purchaser, subject to the right of redemption hereinafter provided, all the estate, right and title the owner thereof had in and to such real estate at the time said tax was assessed, free from any interest or incumbrance thereon of any person to whom the notice required by the provisions of this chapter shall have been given; and the recitals in such deed shall be evidence of the facts stated.

Owner may redeem within one year.

SEC. 16. The person who owned any real estate sold for taxes, at the time of the assessment, or any interest therein, his heirs, assigns or devisees, may redeem the same upon repaying to the purchaser the amount paid therefor, with twenty per centum in addition, within one year after the sale, or within six months after final judgment has been rendered in any suit in which the validity of the sale is in question:

Provided, said suit be commenced within one year after such sale.

Collector may distrain.

SEC. 17. The collector may distrain personal property, except as provided in the section following, and may sell the same in the manner hereinafter directed.

Property exempt from distraint, etc.

SEC. 18. Property exempt from attachment or distress by the laws of this state or of the United States shall not be liable to be distrained for any taxes whatsoever.

Sales of personal property; notice of, how given.

SEC. 19. In all cases where personal property shall be levied on by any collector, he shall cause notice thereof, and of the time and place of sale, to be left at the last and usual place of abode of the owner, or personally to be given to him, at least five days previous to the appointed time of sale, if such owner have a last and usual place of abode in the state or if personal notice can be given to him.

Same subject.

SEC. 20. The collector shall also in all cases advertise the same for three successive weeks in a newspaper, if there be one published in the town, if not, in the county, and shall also post up notices in three public places in said town, at least twenty days previous to the appointed time of sale.

Of sale, tax not being paid.

SEC. 21. If such owner do not pay the amount of the tax, with the interest or percentage and all costs and charges, by the time appointed for the sale, the collector shall sell the same, or enough to pay said sums, at public auction.

Surplus to be returned to owner.

SEC. 22. Any property or surplus of money remaining shall be returned to the owner or person entitled to receive it. If no owner or person entitled to receive the same can be found by the collector, he shall deliver such property or surplus of money to the town treasurer, who shall hold the same subject to the call of the owner thereof.

SEC. 23. Any collector may, with consent of the owner,

remove personal property for sale to any town or place, where it may be sold to the best advantage, giving notice to the owner as before provided, and giving notice as provided by section twenty of this chapter, in the town or place where the sale is to be made.

Collector may remove personal property for sale.

SEC. 24. If any person or property taxed in one town removes or is removed into another town before the tax is collected, the collector may follow such person or property into any town, and levy or collect the tax with the same power as if not removed.

May follow persons or property to any town.

SEC. 25. Any sale of real or personal estate or of any interest therein, liable for the payment of taxes by the provisions of this chapter, may be adjourned from time to time.

Sale may be adjourned.

SEC. 26. The collector of any tax may recover the amount thereof in an action of the case against the person taxed, and in the declaration it shall be sufficient to set forth that the action is to recover a specified sum of money, being a tax assessed against the defendant, specifying the town in which said tax was assessed and the time of ordering and assessing the same.

Collector may recover tax, how.

SEC. 27. If judgment be rendered in favor of the collector, he shall have an allowance for his reasonable trouble in attending to the suit, to be taxed by the court in the bill of costs, and execution shall issue against the real and personal estate of the defendant, and the levy of the execution upon any real estate, upon which a lien for such tax is created by this chapter, shall be deemed to relate back, and take effect from the time of commencement of such lien.

Judgment in such a case; execution, how to issue; effect of levy.

SEC. 28. If any person legally taxed shall be out of the state, or depart therefrom, leaving no property liable for the tax, the collector may summon the attorney, agent, factor, trustee or debtor of such person before the district court of

Proceedings, persons taxed being out of the state.

the district in which the town where the tax is assessed is situated, to declare on oath how much property, if any, of such absent person, he has in his possession; and if he has sufficient property he shall forthwith pay such tax and charges, or deliver to the collector sufficient property therefor.

Warrant of distress to issue, when.

SEC. 29. If any person so summoned shall neglect to appear, or refuse to make oath, or having made oath shall refuse to pay such tax and charges, or to deliver to the collector sufficient property therefor, if such he has, such district court shall forthwith grant to the collector a warrant of distress against the proper goods and chattels of such person so summoned, and the collector may distrain and sell the same wherever found, or so much thereof as will pay the tax and all interest and expenses, in manner provided by this chapter; and said district court shall have jurisdiction in the premises, although the amount involved shall exceed three hundred dollars.

Warrants in force until tax is collected.

SEC. 34. All warrants for the collecting of taxes shall continue in force until the whole tax is collected, notwithstanding the time appointed for collecting the tax, or the year of office, may have expired, and notwithstanding the collector may have paid the tax into the town treasury.

Collector may require aid.

SEC. 35. Every collector shall have the same right to require the aid or assistance of the persons present, in the performance of his duty, which a sheriff now has by law.

CHAPTER 50.

General Provisions Concerning Taxes.

SECTION
1. Towns may provide for deduction, if tax is paid; and impose percentage, if tax is not paid.
2. Officers neglecting to perform duties required of them, liable to be indicted.
3. Town taxes to have preference, in cases of insolvency.
4. Compensation of assessors, town clerks and collectors.
5. School district taxes.

Towns may provide for deduction, etc.

SECTION 1. Any town may provide for such deduction from the tax assessed against any person, if paid by an appointed time, or for such penalties by way of percentage on a tax, if not paid at the time appointed, not exceeding twelve per centum per annum, as they shall deem necessary to insure punctual payment.

Officers neglecting their duty, may be indicted.

SEC. 2. Every officer who shall neglect or refuse to perform any duty imposed on him in this title, or who shall not comply with the provisions thereof, or who shall in any wise knowingly violate any provisions thereof, shall be imprisoned not exceeding one year or be fined not exceeding five hundred dollars, which fine, in case it be a state tax, shall be paid into the state treasury, or if a town tax, into the town treasury, or if a school district tax, into the school district treasury, or if a fire corporation tax, into the fire corporation treasury.

Town taxes to have preference, in insolvency.

SEC. 3. Whenever any person shall become insolvent, or die insolvent, town taxes due from him or his estate shall have preference, after debts or taxes due the United States and this state, over all other debts or demands, save those due for necessary funeral charges, and for attendance and medicine during his last sickness.

SEC. 4. Assessors shall receive such compensation as the town shall allow; town clerks shall be paid for copying tax

Compensation of the assessors, town clerks and collectors.

bills as for other copies; and collectors shall be paid for collecting at the rate of five per centum, unless they shall have agreed with the town for a less sum; which fees shall be paid out of the town treasury. In case of distraint of personal property, or levy on land, the collector shall have the same fees as sheriffs have in similar cases.

School district taxes.

SEC. 5. The provisions of this title shall apply to all school district taxes, so far as they may be applicable.

TITLE IX.

OF PUBLIC INSTRUCTION.

CHAPTER 51. Of the board of education.
CHAPTER 52. Of the commissioner of public schools.
CHAPTER 53. Of the appropriation for public schools.
CHAPTER 54. Of the powers and duties of towns and of the town treasurer and town clerk relative to public schools.
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CHAPTER 65. General provisions relating to public schools.
CHAPTER 66. Of the Rhode Island college of agriculture and mechanic arts.
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CHAPTER 68. Of factory inspection.

CHAPTER 51.

Of the Board of Education.

SECTION
1. Board of education, how constituted, and duties of.
2. How divided, and term of office of members.
3. Vacancies, how filled.
4. Officers of the board.
5. To hold quarterly meetings, and prescribe rules.
6. Appropriation for free public libraries.
7. Board to prescribe conditions on which libraries may receive aid.
8. Payments, how to be made.
9. Annual reports to be made to the board, by officers of schools receiving state aid.
10. Private schools to be registered.
11. Board to furnish forms for returns under preceding two sections.
12. Chapter 86 unaffected.
13. Board to report annually.
14. Travelling expenses of the board to be paid, and how.

Constitution and duty of the board.

SECTION 1. The general supervision and control of the public schools of the state, with such high schools, normal schools and normal institutes, as are or may be established and maintained wholly or in part by the state, shall be vested in a state board of education, which shall consist of the governor and the lieutenant-governor, as members by virtue of their office, and of one other member from each of the counties of the state, with the exception of Providence county, which shall have two other members. The board of education shall elect the commissioner of public schools.

Division and term of office of members.

SEC. 2. The members of the board of education shall continue to be divided into three classes, and to hold their offices until the terms for which they were respectively elected shall have expired.

Vacancies, how filled.

SEC. 3. Two members of the board of education shall be elected annually at the May session of the general assembly, in grand committee, from the counties in which vacancies shall occur in said board, who shall hold office for three years, and until their successors shall have been elected and qualified; vacancies in said board shall be filled for any unexpired term by an election from the county for which the member whose

office is vacant was elected, in the same manner, at any session of the general assembly.

Officers.

SEC. 4. The governor shall be president, and the commissioner of public schools shall be secretary of the board of education.

Meetings.

SEC. 5. The board of education shall hold quarterly meetings in the first week of March, June, September and December of each year, at the office of the commissioner of public schools, and may hold special meetings at the call of the president or secretary. They shall prescribe, and cause to be enforced, all rules and regulations necessary for carrying into effect the laws in relation to public schools.

Free public libraries may be aided.

SEC. 6. The board of education may caused to be paid annually to and for the use of each free public library established and maintained in the state, and to be expended in the purchase of books therefor, a sum not exceeding fifty dollars for the first five hundred volumes included in such library, and twenty-five dollars for every additional five hundred volumes therein: *Provided*, that the annual payment for the benefit of any one such library shall not exceed the sum of five hundred dollars.

Board to prescribe conditions on which libraries may receive aid.

SEC. 7. The board of education shall from time to time establish rules prescribing the character of the books which shall constitute such a library as will be entitled to the benefits conferred by the preceding section, regulating the management of such library so as to secure the free use of the same to the people of the town and neighborhood in which it shall be established, and directing the mode in which the sums paid in pursuance of this chapter shall be expended. No library shall receive any benefit under the foregoing provisions, unless such rules shall have been complied with by those in charge thereof, nor until they shall have furnished

to said board satisfactory evidence of the number and character of the books contained in said library.

Payments, how to be made.

SEC. 8. Every payment herein authorized shall be made by the general treasurer upon the order of the commissioner of public schools, approved by the board of education, and payable to the librarian or other person having charge of such library or of the funds applied to its support designated by said board.

Annual reports by officers of schools receiving state aid.

SEC. 9. The trustees, officers, or persons in charge of all schools and educational institutions supported wholly or in part by this state, whether entirely devoted to education or only partially so, shall make a report annually in the month of July to the state board of education, of such facts as shall show the number of pupils and instructors, the courses of study, the cost of maintenance, and general needs and conditions of the school or institution.

Private schools are to be registered.

SEC. 10. All private schools or institutions of learning in this state shall be registered at the office of the state board of education, said registry showing location, name, officers or persons in charge, grade of instruction, and common language used in teaching. They shall also make a report annually in the month of July, to the state board of education, showing the number of different pupils enrolled, the average attendance, and the number of teachers employed.

Registers and blanks.

SEC. 11. The board shall provide registers for all such schools and institutions, and shall prepare blank forms of inquiry for the facts called for in the two sections next preceding, and in doing so shall have special reference to the requirements of the bureau of education at Washington.

Chapter 86 unaffected.

SEC. 12. Nothing in the three sections next preceding shall be so construed as to repeal, affect, or modify the provisions of chapter eighty-six.

Annual report.

SEC. 13. The board of education shall make an annual report to the general assembly at the adjourned session at Providence.

Travelling expenses of board, how paid.

SEC. 14. The members of said board shall receive no compensation for their services, but the general treasurer shall pay, upon the order of the state auditor, the necessary expenses of the members, when attending the meetings of the board, or when travelling on official business within the state, after the bills have been approved by the general assembly.

CHAPTER 52.

Of the Commissioner of Public Schools.

SECTION
1. Commissioner, how elected.
2. May employ a clerk.
3. Duties of the commissioner.
4. To secure uniformity of text-books.
5. To prepare and distribute programme for Arbor Day.
6. To report to the general assembly.

To be elected by the board of education.

SECTION 1. There shall be annually elected a commissioner of public schools in the manner prescribed in the preceding chapter, who shall devote his time exclusively to the duties of his office. In case of sickness, temporary absence, or other disability, the governor may appoint a person to act as commissioner during such absence, sickness or disability.

May employ a clerk.

SEC. 2. He may employ a clerk to assist in the duties of his office.

General duties of the commissioner.

SEC. 3. The commissioner of public schools shall visit, as often as practicable, every school district in the state, for the purpose of inspecting the schools, and diffusing as widely as possible, by public addresses and personal communications with school officers, teachers and parents, a knowledge of the defects, and of any desirable improvements, in the adminis-

tration of the system and the government and instruction of the schools.

Text-books.

SEC. 4. He shall, under the direction of the board of education, recommend and bring about, as far as practicable, a uniformity of text-books in the schools of all the towns; and shall assist in the establishment of, and selection of books for, school libraries.

Arbor Day.

SEC. 5. The commissioner of public schools shall prepare each year a programme of exercises suitable for the observance of Arbor Day, and shall distribute the same among all of the public schools of the state at least four weeks previous to said day.

Annual report.

SEC. 6. He shall annually, in December, make a report to the board of education, upon the state and condition of the schools and of education, with plans and suggestions for the improvement of said schools.

CHAPTER 53.

Of the Appropriation for Public Schools.

SECTION
1. Appropriation from treasury to be paid annually.
2. How apportioned.
3. How expended.
4. Conditions upon which towns shall receive their proportion.
5. Forfeiture of town's proportion, when.
6. Orders on the general treasurer.
7, 8. Appropriation for reference books and illustrative apparatus. How apportioned.
9. Of future apportionments in case applications exceed the amount of appropriation.
10. Evening schools.

Appropriation from treasury.

SECTION 1. The sum of one hundred and twenty thousand dollars shall be annually paid out of the income of the permanent school fund, and from other money in the treasury, for the support of public schools in the several towns, on the order of the commissioner of public schools.

How apportioned.

SEC. 2. This sum of one hundred and twenty thousand dollars shall be apportioned by the commissioner of public schools among the several towns, as follows: The sum of one hundred dollars shall be apportioned for each school, not to exceed fifteen in number in any one town; the remainder shall be apportioned in proportion to the number of children from five to fifteen years of age, inclusive, in the several towns, according to the school census then last preceding.

How expended.

SEC. 3. The money appropriated from the state as aforesaid shall be denominated "teachers' money," and shall be applied to the wages of teachers, and to no other purpose.

Towns to receive, on condition of an equal appropriation.

SEC. 4. No town shall receive any part of such state appropriation, unless it shall raise by tax, for the support of public schools, a sum equal to the amount it may receive from the treasury for the support of public schools.

Forfeiture, when; and forfeitures to be added to school fund.

SEC. 5. If any town shall neglect or refuse to raise or appropriate the sum required in the preceding section, on or before the first day of July, in any year, its proportion of the public money shall be forfeited, and the general treasurer, on being informed thereof in writing by the commissioner of public schools, shall add it to the permanent school fund.

The commissioner to draw on general treasurer in favor of towns entitled.

SEC. 6. The commissioner of public schools shall draw orders on the general treasurer for their proportion of the appropriation for public schools, in favor of all such towns as shall on or before the first day of July annually comply with the conditions of section four of this chapter.

Appropriation for reference-books and illustrative apparatus.

SEC. 7. The sum of three thousand dollars shall be annually appropriated for the purchase of dictionaries, encyclopedias and other works of reference, maps, globes and other apparatus, for the use of the public schools of the state.

SEC. 8. Said sum of three thousand dollars shall be

apportioned among the several towns and districts as follows: Every town or district desiring to avail itself of this appropriation shall make application therefor to the commissioner of public schools, stating the amount that has been raised or appropriated for the same purpose by the town or district. Upon the receipt of said application and vouchers for the amount actually expended, the commissioner of public schools may draw his order on the general treasurer in favor of said applicant for half of the amount of said vouchers, to an amount not to exceed twenty dollars in any one year, in favor of any district, or, in case of any town not divided into districts, at the rate of not more than ten dollars for each school, to an amount not to exceed two hundred dollars in any one year: *Provided*, that the gross amount in any one fiscal year shall not exceed three thousand dollars.

Apportionment of said appropriation.

Order on state auditor for same.

SEC. 9. In case the number and amount of applications in any one fiscal year shall exceed the limit of the appropriation, the commissioner of public schools shall record the date of each application, and in the apportionment for the following year such recorded applications shall have the preference in the order of their dates.

Of apportionments, when the applications exceed appropriation.

SEC. 10. There shall be an annual appropriation for the support and maintenance of evening schools in the several towns of this state, under the general supervision of the state board of education, who shall apportion said appropriation annually among the several towns and draw orders therefor on the general treasurer.

Annual appropriation for evening schools.

CHAPTER 54.

Of the Powers and Duties of Towns and of the Town Treasurer and Town Clerk Relative to Public Schools.

SECTION
1. Towns to maintain schools with or without districts.
2. Towns may be divided into districts.
3. Schoolhouses, how to be provided.
4. Towns may abolish school districts.
5. Powers and liabilities of discontinued district.
6. Control of public schools to then vest in school committee.
7. School committee, how and when chosen.
8. Superintendent, how appointed, his duties and compensation.
9. Town treasurer to receive and keep account of school money.
10. To submit statement of school money to committee.
11. To transmit statement of money raised and paid out, to commissioner.
12. Town clerk to record boundaries of districts, and distribute school documents.
13. Annual census of children of school age to be taken.
14. Blanks, by whom provided and to call for what information.
15. Census returns, how arranged and disposed of.

Town to maintain its schools, with or without districts.

SECTION 1. Every town shall establish and maintain, with or without forming districts, a sufficient number of public schools, at convenient places, under the management of the school committee, subject to the supervision of the commissioner of public schools as provided by this title.

Districts may be established.

SEC. 2. Any town may be divided by a vote thereof, into school districts.

Schoolhouses, how to be provided.

SEC. 3. Any town may vote, in a meeting notified for that purpose, to provide schoolhouses, together with the necessary fixtures and appendages thereof, in all the districts, if there be districts, at the common expense of the town: *Provided*, that if any district shall provide, at its own expense, a schoolhouse approved by the school committee, such district shall not be liable to be taxed by the town to provide or repair schoolhouses for the other districts.

Towns may abolish all school districts.

SEC. 4. Any town may at any town meeting, or at district meetings for the election of town officers, the subject having been duly inserted in the warrant for said meeting or meet-

ings, abolish all of the school districts therein; and forthwith all title and interest in all of the schoolhouses, land, furniture, apparatus and other property which was vested in the several districts shall be vested in the town. The property so taken by the town shall be appraised by a commission of three disinterested persons to be appointed by the common pleas division of the supreme court in the county in which such town is situated, and, at the next annual assessment of taxes thereafter, a tax shall be levied upon the whole town equal to the amount of said appraisal; and there shall be remitted to the taxpayers of each district their proportional share of the appraised value of the school property in such district: *Provided*, that if any district be in debt, and said debt be assumed by the town, the amount of said debt shall be deducted from the whole amount to be remitted to the taxpayers of said district. If, however, the parties in interest prefer, the differences in the value of the property of the several districts may be adjusted in such manner as they may agree upon.

District property, how appraised; and value remitted to taxpayers. District debts.

SEC. 5. Upon the abolition or discontinuance of any district, its corporate powers and liabilities shall continue and remain so far as may be necessary for the enforcement of its rights and duties.

Powers and liabilities of a discontinued district.

SEC. 6. When a town shall abolish the school districts therein, the entire control, management and care of all the public school interests of the town shall be vested in the school committee of that town, and the number of the school committee in any town abolishing the district system may be, by vote of the town, increased to a number not exceeding seven.

Control of the public schools to then vest in school committee.

SEC. 7. The school committee of each town shall consist of three residents of the town, or of such number as at the present time constitute the committee, and they shall be

School committee, how and when chosen.

divided as equally as may be into three classes, whose several terms of office shall expire at the end of three years from the dates of their respective elections; and in the case of the first election of a school committee under this chapter, the terms of office of the three classes shall be respectively one year, two years and three years; the classes and their terms of office to be determined by lot by the committee at their first meeting after their election. As the office of each class shall become vacant, such vacancy or vacancies shall be filled by the town at its annual town meeting for the election of state or town officers, or by the town council at its next meeting thereafter. In case of a vacancy by death, resignation, or otherwise than as is above provided, such vacancy shall be filled by the town council until the next annual town meeting for state or town officers, when it shall be filled for the unexpired term thereof as is above provided.

Superintendents of schools, how and when to be elected.

SEC. 8. The school committee of each town shall elect a superintendent of the public schools of the town, to perform, under the advice and direction of the committee, such duties, and to exercise such powers, as the committee shall assign him, and to receive such compensation out of the town treasury as the town shall vote. Said superintendent shall be elected at the first regular meeting of the school committee succeeding the annual election of school committee; but the committee shall have power to fill a vacancy at any meeting duly called.

Town treasurer to receive school money, and account therefor.

SEC. 9. The town treasurer shall receive the money due the town from the state for public schools, and shall keep a separate account of all money appropriated by the state or town or otherwise for public schools in the town, and shall pay the same to the order of the school committee, and he shall credit the public school account, on the first Monday of May in each year, with the total amount of money received

by him for poll taxes during the year ending the thirtieth day of April last preceding.

To submit statement thereof to school committee.

SEC. 10. The town treasurer shall, before the first day of July in each year, submit to the school committee a statement of all moneys applicable to the support of public schools for the current school year, specifying the sources of the same.

Also to commissioner of public schools.

SEC. 11. The town treasurer shall, on or before the first day of July, annually, transmit to the commissioner of public schools a certificate of the amount which the town has voted to raise by tax for the support of public schools for the current year; and also a statement of the amount paid out to the order of the school committee, and from what sources it was derived, for the year ending the thirtieth day of April next preceding; and until such return is made to the commissioner, he may, in his discretion, withhold the order for the money in the state treasury belonging to such town.

Town clerk to keep record of boundaries of school districts, and distribute school documents.

SEC. 12. The town clerk shall record the boundaries of school districts and all alterations thereof in a book to be kept for that purpose, and shall distribute such school documents and blanks as shall be sent to him, to the persons for whom they are intended.

Census of children of school age.

SEC. 13. The town clerks, or some person whom the board of aldermen of any city, or the town council of any town, shall appoint for the purpose, shall annually, in the month of January, take or cause to be taken a census of all persons between the ages of five and fifteen years, inclusive, residing within the limits of their respective towns on the first day of said January.

Census forms to be furnished by school commissioner.

SEC. 14. The blank forms required to carry out the requirements of the preceding section shall be furnished by the commissioner of public schools to each town on or before the

first day of December in each year, and they shall call in substance for the following information, namely, the name, age, number of weeks' attendance upon any school, parents' name and residence, of each person enumerated; and if any parent or guardian shall refuse to give the above information in regard to his children or wards, or shall knowingly and wilfully falsify such information, he shall be fined not exceeding twenty dollars.

Penalty for refusal to give information.

Census returns to be deposited where, and certified to school commissioner.

SEC. 15. The returns of said census shall be alphabetically arranged and deposited in the hands of the school committees of the several towns on or before the first day of March in each year; and the receipt of the chairman or clerk of the school committee to the effect that the above returns have been so received by him shall be forwarded to the commissioner of public schools before he shall draw his order for the payment of any portion of the public money to that town.

CHAPTER 55.

Of the Powers of School Districts.

SECTION
1. School districts are bodies corporate.
2. Powers of school districts.
3. District may build and repair schoolhouses.
4. May raise money by tax.
5. Officers of the district.
6. Powers and duties of district officers.
7. District taxes, how collected.
8. Town collector may collect.
9. Districts neglecting to organize, committee may establish the school.
10. District may devolve its duties and powers on the committee.

School districts are bodies corporate, and how distinguished.

SECTION 1. Every school district shall be a body corporate, and shall be known by its number or other suitable designation.

General powers of the school districts.

SEC. 2. Every school district may prosecute and defend in all actions in which said district or its officers are parties, may purchase, receive, hold and convey, real or personal

property for school purposes, and may establish and maintain a school library.

Schoolhouses, and use and care of same.

SEC. 3. Every such district may build, purchase, hire and repair schoolhouses, and supply the same with blackboards, maps, furniture and other necessary and useful appendages, and may insure the house and appendages against damage by fire: *Provided*, that the erection and repairs of the schoolhouse shall be made according to the plans approved by the school committee or, on appeal, by the commissioner of public schools.

Powers of taxation.

SEC. 4. Every such district may raise money by tax on the ratable property of the district, to support public schools, and to carry out the powers given them by any of the provisions of this title: *Provided*, that the amount of the tax shall be approved by the school committee of the town.

Officers of district.

SEC. 5. Every such district shall annually elect a moderator, a clerk, a treasurer, a collector and either one or three trustees, as the district shall decide, and may fill vacancies in either of said offices at any legal meeting. The moderator may administer the oath of office to all the other officers of the school district. (*See Chapter 304, Public Laws.*)

Powers and duties of officers.

SEC. 6. The clerk, collector and treasurer, within their respective school districts, shall have the like power, and shall perform like duties, as the clerk, collector and treasurer of a town; but the clerk, collector and treasurer need not give bond, unless required by the district.

Collection of district taxes.

SEC. 7. All district taxes shall be collected by the district or town collector, in the same manner as town taxes are collected.

Town collector may collect them.

SEC. 8. Any district may vote to place the collection of any district tax in the hands of the collector of town taxes,

who shall thereupon be fully authorized to proceed and collect the same, upon giving bond therefor to the district satisfactory to the school committee.

School committee to organize the school when.

SEC. 9. If any school district shall neglect to organize, or, if organized, shall for any space of six months neglect to establish a school and employ a teacher, the school committee of the town may themselves or by an agent establish a school in the district schoolhouse, or elsewhere in the district, in their discretion, and employ a teacher.

District may devolve its powers on school committee.

SEC. 10. Any district may, with the consent of the school committee, devolve all the powers and duties relating to public schools in the district on the school committee.

CHAPTER 56.

Of District Meetings.

SECTION
1. Meetings, notice of, how and by whom to be given.
2. Annual meeting, when held.
3. Special meetings, how called.
4. District meeting, where held.

SECTION
5. Notice of time and place, how to be given.
6. Qualification of voters.
7. Clerk to record names of voters on request.

Notice of meeting for organization, or of other meetings, by whom to be given.

SECTION 1. Notice of the time, place and object of holding the first meeting of a district for organization or for a meeting, either annual or special, to choose officers or to transact any other business, shall be given by the trustees or, in case of the death, removal, resignation or disability of the trustees, by the clerk of the district; in case there be no trustee or clerk authorized to call a meeting such notice shall be given by the school committee of the town.

Annual meeting.

SEC. 2. Every school district when organized, shall hold an annual meeting in the month of April of each year for choice of officers and for the transaction of any other business relating to schools.

Special meetings, how called.

Sec. 3. The trustees or, in case of the death, removal, resignation or disability of the trustees, the clerk may call a special meeting for election or other business at any time, and shall call one to be held within seven days on the written request of any five qualified electors stating the object for which they wish it called; and if the trustees or clerk, as above provided, neglect or refuse to call a special meeting when so requested, the school committee may call it and fix the time therefor: *Provided*, that no special district meeting shall be called without the consent of the school committee, to consider any subject which shall have been acted on by the district at any time within six months previous to the time of such proposed meeting.

Consent of school committee required, when.

District meeting to be held, where.

Sec. 4. District meetings shall be held in the schoolhouse, unless otherwise ordered by the district. If there be no schoolhouse or place appointed by the district for its meetings, the trustees or, in case of the death, removal, resignation or disability of the trustees, the clerk, and, if there be no trustees or clerk, the school committee, shall determine the place, which shall always be within the district.

Notice, how given.

Sec. 5. Notice of the time and place of every annual meeting, and of the time, place and object of every special meeting, shall be given, either by publishing the same in a newspaper published in the district, or by posting the same in two or more public places in the district for five days before holding the same.

Qualification of voters.

Sec. 6. Every person residing in the district may vote in district meetings to the same extent and with the same restrictions as he might at the time vote in town meeting; but no person shall vote upon any question of taxation of property, or expending money raised thereby, unless he shall have paid or be liable to pay, a portion of the tax.

Sec. 7. The clerk of the district shall record the number

District clerk to make record of votes taken, if requested.

and names of the persons voting, and on which side of the question, at the request of any qualified voter.

CHAPTER 57.

Of Joint School Districts.

SECTION
1. Adjoining districts may establish advanced school.
2. Such districts to constitute a district as to such school.
3. Organization.
4. Public money, how drawn.
5. Adjoining districts in the same town may consolidate.
6. To receive public money as if not united.
7. Organization.
8. Adjoining districts, or parts, in adjoining towns may be formed into joint districts, and discontinued.
9. Organization.
10. Powers of such joint district.
11. Public money to be apportioned.
12. Corporate property, how owned.
13. Apportionment, when district is divided.
14. Payment when, by part of a district added to district.

Adjoining districts may establish an advanced school.

SECTION 1. Any two or more adjoining school districts in the same or adjoining towns may, by a concurrent vote, establish a school for the older and more advanced children of such districts.

Such districts are a school district as to such school.

SEC. 2. Such associating districts shall constitute a school district for the purposes of providing a schoolhouse, fuel, furniture and apparatus, and for the election of a board of trustees, to consist of one member from each district so associating, and for levying a tax for school purposes, with all the rights and privileges of a school district, so far as such school is concerned.

Organization.

SEC. 3. The time and place for the meeting for organization of such associate district may be fixed by the school committees, and any one or more of the associating districts may delegate to the trustees of such school the care and management of its primary school.

SEC. 4. The school committee of the town or towns in

which such school shall be established, shall draw an order in favor of the trustees of such school, to be paid out of the public money appropriated to each district interested in such school, in proportion to the number of scholars from each.

Public money, how to be drawn.

Sec. 5. Any two or more adjoining school districts in the same town may, by concurrent vote, with the approbation of the school committee, unite and be consolidated into one district for the purpose of supporting public schools, and such consolidated district shall have all the powers of a single district.

Adjoining districts in same town may consolidate.

Sec. 6. Such consolidated district shall be entitled to receive the same proportion of public money as such districts would receive if not united.

Entitled to state aid as if not consolidated.

Sec. 7. The mode of organizing such consolidated district and calling the first meeting thereof shall be regulated or prescribed by the school committee, and notice thereof given as prescribed in section five of chapter fifty-six.

Organization,

Sec. 8. Two or more adjoining districts, or parts of districts, in adjoining towns may be formed into a joint school district by the school committees of such towns concurring therein; and all joint districts which have been or shall be formed may by them be altered or discontinued.

Adjoining districts or parts thereof in adjoining towns may be formed, or discontinued, as joint school districts.

Sec. 9. The meeting for organization of such joint district shall be called by the school committees of such towns, and notice thereof shall be given as prescribed in section five of chapter fifty-six.

Organization.

Sec. 10. Such joint district shall have all the powers of a single school district, and shall be regulated in the same manner, and shall be subject to the supervision and management of the school committee of the town in which the school is located.

Powers of such joint district.

State aid to be apportioned.

SEC. 11. A whole district making a portion of such joint district shall be entitled to its proportion of public money, in the same manner as if it had remained a single district; and whenever part of a district is taken to form a portion of such joint district, the school committee of the town of which such district is a part shall assign to it its reasonable proportion.

Corporate property.

SEC. 12. Whenever any two or more districts shall be consolidated, the new district shall own all the corporate property of the several districts.

Apportionment, when district is divided.

SEC. 13. Whenever a district is divided and a portion taken from it, the funds and property, or the income and proceeds thereof, shall be divided among the several parts in such manner as the school committee of the town or towns to which the districts belong may determine.

Contribution, when, by part of a district added to district.

SEC. 14. Whenever a part of one district is added to another district or part of a district owning a schoolhouse or other property, such part shall pay to the district or part of a district to which it is added, if demanded, such sum as the school committee may determine, towards paying for such schoolhouse and other property.

CHAPTER 58.

Of the Levy of District Taxes.

SECTION
1. District taxes, how levied.
2. Town assessors to assess value of property in what cases.
3. Notice of assessment.
4. Commissioner in certain cases may order assessment.
5. Errors in assessment, how corrected.
6. Abatement of taxes, when and how made.
7. Schoolhouse taxes and expenses by joint districts, by whom to be approved.
8. Assessment of taxes in joint or associated districts.

SECTION 1. District taxes shall be levied on the ratable

property of the district, according to its value in the town assessment then last made, unless the district shall direct such taxes to be levied according to the next town assessment; and no notice thereof shall be required to be given by the trustees. District taxes, how to be levied.

Sec. 2. The trustees of any school district, if unable to agree with the parties interested with regard to the valuation of any property in such district, shall call upon one or more of the town assessors not interested, and not residing in the district, to assess the value of such property so situated, in the following cases, namely: Whenever any real estate in the district is assessed in the town tax bill with real estate out of the district, so that there is no distinct or separate value upon it; whenever any person possessing personal property shall remove into the district after the last town assessment; whenever a division and apportionment of a tax shall become necessary by reason of the death of any person, or the sale of such property; whenever a person has invested personal property in real estate and shall call upon the trustees to place a value thereon; and whenever property shall have been omitted in the town valuation. Assessors to assess value of property, in what case.

Sec. 3. The assessors shall give notice of such assessment by posting up notices thereof for ten days next prior to such assessment in three public places in the district; and after notice is given as aforesaid, no person neglecting to appear before the assessors shall have any remedy for being overtaxed. Notice of assessment.

Sec. 4. If a district tax shall be voted, assessed and approved of, and a contract legally entered into under it, or such contract be legally entered into without such vote, assessment, or approval, and said district shall thereafter neglect or refuse to proceed to assess and collect a tax sufficient to fulfill such contract, the commissioner of public When commissioner of public schools may order assessment.

schools, after notice to and hearing of the parties, may appoint assessors to assess a tax for that purpose, and may issue a warrant to the collector of the district, or to a collector by him appointed, authorizing and requiring him to proceed and collect such tax.

Errors, how corrected.

SEC. 5. Errors in assessing a tax may be corrected, or the tax re-assessed, in such manner as may be directed or approved by the commissioner of public schools.

Abatement of taxes, when and how made.

SEC. 6. Whenever any person who has paid a tax for building or repairing a schoolhouse in one district shall, by alteration of the boundaries thereof, become liable to pay a tax in any other district, if such person cannot agree with the district, such abatement of the tax may be made as the school committee, or in case of a district composed from different towns, as the commissioner of public schools, may deem just and proper.

Schoolhouse taxes and expenses by joint district, how approved.

SEC. 7. Whenever a joint district shall vote to build or repair a schoolhouse by tax, the amount of the tax and the plan and specifications of the building and repairs shall be approved by the school committees of the several towns, or, in case of their disagreement, by the commissioner of public schools.

Assessment of taxes in joint or associated districts.

SEC. 8. In case of assessing a tax by a joint or associate district, if the town assessments be made on different principles; or the relative value be not the same, the relative value and proportion shall be ascertained by one or more persons, to be appointed by the commissioner of public schools, and the assessment shall be made accordingly.

CHAPTER 59.

Of the Trustees of School Districts.

SECTION
1. Trustees to have charge of the school property, and to employ teachers.
2. To provide school facilities, visit the schools, and report.
3. To furnish bookcases.
4. To make out tax bills and issue tax warrants.
5. To make returns to school committee.
6. The trustees to receive no compensation out of the school moneys for their services.
7. May admit scholars from without the town or state, when.
8. School committee, similarly empowered, if town is not divided into districts.
9. Disposition of money received for tuition.
10. Attendance of scholars from without the district, where reckoned.

Trustees to have care of school property, and employ teachers.

SECTION 1. The trustees of school districts shall have the custody of the schoolhouse and other district property, and shall employ one or more qualified teachers for every fifty scholars in average daily attendance.

To provide school facilities, visit the schools and report.

SEC. 2. The trustees shall provide schoolrooms and fuel, and shall visit the schools twice at least during each term, and notify the committee or superintendent of the time of opening and closing the schools.

To furnish bookcases.

SEC. 3. The trustees shall provide a suitable cabinet or bookcase in each schoolroom, for the reception and care of such text-books and school supplies as may be furnished by the school committee.

To make out tax bills, and issue tax warrants.

SEC. 4. The trustees shall make out the tax bill against the persons liable to pay the same, and deliver the same to the collector with a warrant by them signed annexed thereto, requiring him to collect and pay over the same to the treasurer of the district.

To make returns to the school committee.

SEC. 5. The trustees shall make returns to the school committee in manner and form prescribed by them or by the commissioner, or as may be required by law, and perform all

other lawful acts required of them by the district, or necessary to carry into full effect the powers and duties of districts.

To receive no compensation out of the school moneys.

SEC. 6. The trustees shall receive no compensation for services out of the money received from either the state or town appropriations, nor in any way, unless raised by tax by the district.

May admit scholars from without town or state, when.

SEC. 7. The trustees of any school district may allow scholars from without the town or the state to attend the public schools of such district, on such terms as the trustees may determine: *Provided*, that such terms shall be approved by the school committee.

Same subject: School committee may, when.

SEC. 8. Whenever a town shall not be divided into school districts, or whenever public schools shall be provided without reference to such division, the school committee may exercise the powers provided in the preceding section to be exercised by trustees.

Tuition money, how to be applied.

SEC. 9. All moneys received for tuition as hereinbefore provided shall be paid into the district or town treasury, as the case may be, and shall be used for school purposes only.

Such attendance to be reckoned, where.

SEC. 10. No attendance upon the public schools authorized by the preceding three sections shall be reckoned in determining the average attendance for the purpose of regulating the distribution of school money; but such average attendance shall be returned to the district where such scholars reside, and be there reckoned with the average attendance of the schools of that district, upon demand by the trustee thereof.

CHAPTER 60.

Of the Powers and Duties of School Committees.

SECTION
1. Chairman and clerk, how chosen and removed.
2. Stated meetings, when held.
3. Committee may alter and discontinue districts.
4. To locate all schoolhouses.
5. Land for schoolhouse sites, if taken without owners' consent, how appraised.
6. Owner of land may petition for relief.
7. Instruction to be given in physiology and hygiene.
8. Committee to examine teachers; and to annul certificates, when.
9. To visit schools, when and how often.
10. To make rules and regulations for schools.
11. May authorize children to attend school in adjoining town or district.

SECTION
12. May suspend pupils.
13. Committee to manage schools, if town is not divided into districts.
14. Apportionment of the town's share of the state school money to the districts.
15. Notice of apportionments to be given to trustees.
16—18. Orders on town treasurer, in what cases and on what conditions to be given.
19. Money forfeited or unexpended, to be divided.
20. Annual report of school committee.
21. Expense of printing report, how to be paid.
22. School committee to furnish books and supplies.
23. Change in school books, how made.

Officers of the school committee.

SECTION 1. The school committee of each town shall choose a chairman and clerk, either of whom may sign any orders or official papers, and may be removed at the pleasure of said committee.

Meetings of the school committee.

SEC. 2. The school committee of each town shall hold at least four regular meetings in every year, at such time and place within the town as the committee shall by general order fix and determine.

Committee may vary school districts after notice duly given.

SEC. 3. The school committee may alter and discontinue school districts, and shall settle their boundaries when undefined or disputed; but no change shall be made in the boundaries of any district except at a meeting, notice of which, with the proposed changes, has been posted upon the schoolhouses and sent to the trustees of the districts whose boundaries are liable to be affected, for at least five days be-

Restriction on the formation of new district.

fore holding the same; and no new district shall be formed with less than forty children between the ages of four and sixteen, unless with the approbation of the commissioner of public schools; and the clerk of the committee shall transmit to the town clerk a certified copy of all votes affecting the boundary lines of the districts immediately on the passage thereof.

Location of the schoolhouses.

SEC. 4. The school committee shall locate all schoolhouses, and shall not abandon or change the location of any without good cause.

Land for a schoolhouse site, taken without owners' consent, is how appraised.

SEC. 5. In case the school committee shall fix upon a location for a schoolhouse in any town or district, or shall determine that the schoolhouse lot ought to be enlarged, and the town or district shall have passed a vote to erect a schoolhouse, or to enlarge the schoolhouse lot, and the committee shall fix upon a location for a schoolhouse, and the proprietor of the land shall refuse to convey the same, or cannot agree with the town or district for the price thereof, the school committee of their own motion, or on application of the town or district, may appoint three disinterested persons, who shall notify the parties and decide upon the valuation of the land; and upon the tender or payment of the sum so fixed on, to the proprietor, the title to the land so fixed on by the school committee, not exceeding one acre, shall vest in the town or district for the purpose of maintaining thereon a schoolhouse and the necessary appendages thereof.

Persons aggrieved may petition for relief to common pleas division.

SEC. 6. Any person aggrieved thereby may, within six months after any tender as aforesaid (but not after any payment as aforesaid), petition the common pleas division of the supreme court in the county for such relief in the premises, by way of damages or otherwise, as to law and justice shall appertain, in the manner and with the same procedure prescribed in sections fifteen and sixteen of chapter forty-six

in the case of petition for relief for over-assessment for taxes.

Instruction in physiology and hygiene.

SEC. 7. The school committees of the several towns shall make provision for the instruction of the pupils in all schools supported wholly, or in part, by public money, in physiology and hygiene, with special reference to the effects of alcoholic liquors, stimulants and narcotics upon the human system.

Committee to examine teachers; to annul certificates, when.

SEC. 8. The school committee may examine, by themselves or by some one or more persons by them appointed, every applicant for the situation of teacher in the public schools of the town, and may, after five days' notice in writing, annul the certificate of such as upon examination by them proved unqualified, or will not conform to the regulations of the committee, and in such case shall give immediate notice thereof to the trustee of the district in which such teacher is employed. (*See Chap. 544, Sec. 9-12, Pub. Laws.*)

To visit the schools.

SEC. 9. The school committee shall visit, by one or more of their number, every public school in the town at least twice during each term, once within two weeks of its opening and once within two weeks of its close; at which visits they shall examine the register and matters touching the schoolhouse, library, studies, books, discipline, modes of teaching and improvement of the school.

To make rules for the schools.

SEC. 10. The school committee shall make and cause to be put up in each schoolhouse, rules and regulations for the attendance and classification of the pupils, for the introduction and use of text-books and works of reference, and for the instruction, government and discipline of the public schools, and shall prescribe the studies to be pursued therein, under the direction of the commissioner of public schools.

SEC. 11. Whenever the school committee of any town shall find that it is more convenient or expedient for any

May authorize children to attend school in adjoining town or district. See section 18.

child residing in said town to attend school in an adjoining town or district, said committee may arrange with the school authorities of such town or district for the attendance of such child at their schools, and may pay for such tuition out of the town appropriation for public schools. The amount so paid shall be used for school purposes only. (*See Chap. 544, Sec. 3, Pub. Laws.*)

May suspend pupils.

SEC. 12. The school committee may suspend during pleasure all pupils found guilty of incorrigibly bad conduct or of violation of the school regulations.

To manage schools, when.

SEC. 13. Where a town is not divided into districts, or shall vote in a meeting duly notified for that purpose to provide schools without reference to such division, the school committee shall manage and regulate said schools, and draw all orders for the payment of their expenses.

Apportionment of the state school money to the districts.

SEC. 14. Whenever the public schools are maintained by district organization, the committee shall apportion among the districts, equally, according to the number of schools maintained in each, the whole of the town's proportion of the one hundred and twenty thousand dollars received from the state, and in addition thereto at least one fourth as much more from the town appropriation for the support of public schools; the remainder of the town appropriation, and the moneys received from poll and dog taxes, from school funds, and from other sources, shall be divided into two equal parts, one part to be apportioned to the several districts, according to the average attendance of the schools therein, for the year preceding; the other part to be apportioned at the discretion of the committee: *Provided always*, that the total apportionment for each school shall not be less than one hundred and eighty dollars.

Minimum of money to each school.

Apportionment, when to be made, and what notice given.

SEC. 15. The school committee shall make the apportionment among the several districts as provided in the preceding section on or before the first Monday of July in each year,

and immediately thereafter give notice to the trustees of the amount so apportioned to each district.

Orders on the town treasurer in favor of the districts, when to be drawn by the school committee.

SEC. 16. The school committee shall draw an order on the town treasurer in favor of such districts only as shall have made a return to them in manner and form prescribed by them or by the commissioner of public schools, or as may be required by law, from which it shall appear that for the year ending on the first day of May previous one or more public schools have been kept for at least six months by a qualified teacher in a schoolhouse approved by the committee or commissioner, that the money designated "teachers' money," received the year previous, has been applied to the wages of teachers and to no other purpose, and that the register properly kept has been deposited with the committee or with some person by them appointed to receive the same.

To whom payable.

SEC. 17. Such orders may be made payable to the trustees or their order, or to the district treasurer, or teacher; and if the treasurer receive the money, he shall pay it out to the order of the trustees.

Orders, when to be drawn. School committee may suspend school in certain cases. See section 11.

SEC. 18. The school committee shall give no such order, until they are satisfied that the services have actually been performed for which the money is to be paid; and they shall have power, in case the average attendance of any school falls below five, to suspend said school in their discretion and to make such other provisions as they may deem best for the attendance of the children, properly belonging to said school, upon some other public school; but such suspension shall not work the forfeiture of the public money to any district provided for by section sixteen of this chapter. The school committee may allow scholars residing in one district to attend school in any other district. (*See Chap. 544, Secs. 1, 7, 8, Pub. Laws.*)

SEC. 19. At the end of the school year, any money ap-

Money forfeited or unexpended, to be divided.

propriated to any district which shall be forfeited and the forfeiture not remitted, or which shall remain unexpended, shall be divided by the committee among the districts the following year.

Annual report of the school committee.

SEC. 20. The school committee shall prepare and submit annually to the commissioner of public schools, on or before the first day of July, a report in manner and form by him prescribed; and until such report is made to the commissioner, he may refuse to draw his order for the money in the state treasury belonging to such town: *Provided*, that the necessary blank for said report has been furnished by the commissioner on or before the first day of May next preceding; they shall also prepare and submit annually, at the annual town meeting, a report to the town, setting forth their doings, the state and condition of the schools and plans for their improvement, which report, unless printed, shall be read in open town meeting; and if printed, at least three copies shall be transmitted to the commissioner on or before the first day of July in each year.

Printing report, how paid for.

SEC. 21. The school committee may reserve annually out of the public appropriation, a sum not exceeding forty dollars to defray the expense of printing their annual report.

School committee to furnish books and supplies.

SEC. 22. The school committee of every city and town shall purchase, at the expense of such city or town, text-books and other school supplies used in the public schools; and said text-books and supplies shall be loaned to the pupils of said public schools free of charge, subject to such rules and regulations as to care and custody as the school committee may prescribe.

Change in the school books how made.

SEC. 23. A change may be made in the school books in the public schools of any town by a vote of two-thirds of the whole school committee; and in the city of Providence by a vote of a majority of all the members elected to the school

committee, notice of the proposed change having been given in writing at a previous regular meeting of said committee: *Provided*, that no change be made in any text-book in the public schools of any town oftener than once in three years, unless by the consent of the board of education.

CHAPTER 61.

Of Teachers.

SECTION
1. Certificate of qualification required.
2. Certificate valid for how long.
3. Qualifications of teachers.
4. When teachers may be dismissed.
5. Teachers to keep register of scholars and certain records, and make report.
6. School officers ineligible to teach in public schools.
7. Moral instruction.

SECTION 1. No person shall be employed by any trustee to teach as principal or assistant in any school supported entirely or in part by the public money, unless he shall have a certificate of qualification signed either by the school committee of the town, or by some person appointed by said committee, or by the trustees of the normal school. (*See Chap. 544, Sec. 9, Pub. Laws.*) Certificate of qualification required.

SEC. 2. Such certificate, unless annulled, if signed by the school committee, shall be valid within the town for one year or for such portion thereof as shall be specified in said certificate. (*See Chap. 544, Sec. 9, Pub. Laws.*) How long valid.

SEC. 3. The school committee shall not sign any certificate of qualification unless the person named in the same shall produce evidence of good moral character and be found on examination qualified to teach the various branches required to be taught in the school. (*See Chap. 544, Sec. 9, Pub. Laws.*) Qualification required of teachers.

SEC. 4. The school committee of any town may, on reasonable notice and a hearing of such teacher, dismiss any teacher for refusal to conform to the regulations by them Teachers may be dismissed, when.

made, or for other just cause; and in such case shall give immediate notice to the trustees of the district.

Teachers to keep a register of scholars, and certain records, and make report.

SEC. 5. Every teacher in any public school shall keep a register of the names of all the scholars attending said school, their sex, age, names of parents or guardians, the time when each scholar enters and leaves the school, the daily attendance, together with the days of the month on which the school is visited by any officer connected with public schools, and shall prepare the return of the district to the school committee of the town.

School officers are ineligible to teach in public schools.

SEC. 6. No superintendent of schools or member of the school committee of any town, or trustee of any school district, shall, so long as he continues in said office of superintendent, member of the school committee or trustee of school district, be eligible or employed to teach as principal or assistant in any school supported entirely or in part by the public money, within the town where said superintendent, member of the school committee or trustee resides. (*See Chap. 620, Pub. Laws.*)

Moral instruction.

SEC. 7. Every teacher shall aim to implant and cultivate in the minds of all children committed to his care the principles of morality and virtue.

CHAPTER 62.

Of Legal Proceedings Relating to Public Schools.

SECTION
1. Appeals from decisions relating to public schools, to whom made; duty of commissioner to hear and decide.
2. Statement of facts may be presented to justice of supreme court.
3. Appeals, rules of to be prescribed by commissioner.
4. Matters in dispute may be submitted to commissioner by agreement.
5. Votes ordering district taxes, final unless appealed from.

SECTION
6. Costs, in what cases not to be taxed against school officers.
7. Suit against district may be answered by inhabitant or taxpayer.
8, 9. Judgment against school district, how satisfied.
10. Process against school district, how to be served.
11. Record of clerk of district is prima facie evidence.
12. Commissioner may remit certain fines, penalties and forfeitures.

Appeals to school commissioner.

SECTION 1. Any person aggrieved by any decision or doings of any school committee, district meeting, trustees, or in any other matter arising under this title, may appeal to the commissioner of public schools who, after notice to the party interested of the time and place of hearing, shall examine and decide the same without cost to the parties: *Provided*, that nothing contained in this section shall be so construed as to deprive such aggrieved party of any legal remedy.

To justice of supreme court, when.

SEC. 2. The commissioner of public schools may, and if requested on hearing such appeal by either party shall, lay a statement of the facts of the case before one of the justices of the supreme court, whose decision shall be final.

Rules of appeals.

SEC. 3. The commissioner of public schools may from time to time prescribe rules regulating the time and manner of taking such appeals, and rules to prevent appeals for trifling and frivolous causes.

Submission to commissioner by agreement, to be final.

SEC. 4. Parties having any matter of dispute between them arising under this title, may agree in writing to submit the same to the adjudication of said commissioner, and his decision therein shall be final.

Vote ordering taxes in districts, final, if not appealed from.

SEC. 5. If no appeal be taken from a vote of a district relating to the ordering of a tax, or from the proceedings of the officers of the district in assessing the same, or if, on appeal, such proceedings are confirmed, the same shall not again be questioned before any court of law or magistrate whatsoever: *Provided*, that this section shall not be so construed as to dispense with legal notice of the meeting, or with the approval of the votes or proceedings by the school committee or commissioner of public schools, whenever the same is required by law.

SEC. 6. In any civil suit before any court against any

Costs not taxed, when.

school officer for any matter which might by this chapter have been heard and decided by the commissioner of public schools, no costs shall be taxed for the plaintiff if the court are of opinion that such officer acted in good faith.

Suit against district may be answered by resident or taxpayer.

SEC. 7. Any inhabitant of a district, or person liable to pay taxes therein, may be allowed by any court to answer a suit brought therein against the district, on giving security for costs, in such manner as the court may direct.

Judgment against a school district, how to be satisfied.

SEC. 8. Whenever judgment shall be recovered in any court of record against any school district the court rendering judgment shall order a warrant to be issued, if no proceedings operating as a stay be taken, to the assessors of taxes of the town in which such district is situated, or, in case of a joint district composed of parts of towns, then to one or more of the assessors of each town, with or without designating them, requiring them to assess upon the ratable property in said district a tax sufficient to pay the debts or damages, costs, interest and a sum in the discretion of the court sufficient to defray the expenses of assessment and collection. Said assessors shall, without a new engagement, proceed to assess the same, giving notice as in case of other district taxes.

Same subject.

SEC. 9. Said warrant shall also contain a direction to the collector of the town, or, in case of a joint district, then to the collector of either town, as the court may direct, requiring him to collect said tax; and said warrant, with the assessment annexed thereto, shall be a sufficient authority for the collector, without a special engagement, to proceed and collect the same with the same power as in the case of a town tax; and when collected, he shall pay over the same to the parties to whom it may belong, and the surplus, if any, to the district. And the court may require a bond of the collector.

SEC. 10. Whenever any writ, summons or other process

shall issue against any school district in any civil suit, the same may be served on the treasurer or clerk; and if there are no such officers to be found, the officer charged with the same may post up a certified copy thereof on the door of the schoolhouse, and, if there be no schoolhouse, then in some public place in the district, and the same, when proved to the satisfaction of the court, shall constitute a sufficient service thereof.

Process against district, how served.

SEC. 11. The record of the district clerk that a meeting has been duly or legally notified shall be prima facie evidence that it has been notified as the law requires. The clerk shall obtain at the expense of the district a suitably bound book for keeping the record therein.

Record of clerk, prima facie evidence.

SEC. 12. The commissioner of public schools may, by and with the advice and consent of the board of education, remit all fines, penalties and forfeitures incurred by any town, district or person, under any of the provisions of this title, except the forfeiture incurred by any town for not raising its proportion of money.

School commissioner may remit fines, when.

CHAPTER 63.

Of the Normal School, Teachers' Institutes and Lectures.

SECTION
1. Normal school, management of.
2. Qualification of applicants for tuition.
3. Diploma, who to receive.
4. Trustees to examine applicants to teach.
5. When may pay travelling expenses of pupils.
6. Teachers' institutes, and educational publications, etc., appropriation for.
7. Commissioner of public schools to account to state auditor for expenditures.

SECTION 1. The normal school shall be under the management of the board of education and the commissioner of public schools as a board of trustees.

Normal school, how to be managed.

Qualification for free tuition.

SEC. 2. All applicants from the several towns in the state shall be admitted to free tuition in said school, after having passed such an examination as may be prescribed by the board of trustees, and after having given to such board satisfactory evidence of their intention to teach in the public schools of this state for at least one year after leaving the said school.

Diplomas to whom.

SEC. 3. Persons who shall have passed the regular course of studies at the normal school shall, on the written recommendation of the principal, receive a diploma signed by the trustees of the school.

Examination, and certificate of qualification to teach.

SEC. 4. The said trustees may, by themselves or by a committee of their board, examine all applicants to teach in the public schools, and shall give certificates to such as are found qualified to teach school. *(See Chap. 544, Sec. 9-12, Pub. Laws.)*

Travelling expenses of pupils to be paid in what cases.

SEC. 5. The trustees of the normal school may pay to each pupil who shall reside within the state and not within five miles of said school, who shall have been duly admitted thereto, and who shall have attended the regular sessions of said school and complied with the regulations thereof during the term next preceding such payments, not exceeding ten dollars for each quarter year for travelling expenses; but such payments in the aggregate for such travelling expenses shall not exceed the sum of fifteen hundred dollars in any one year, and shall be made to the respective pupils entitled to the same in proportion to the distance they may reside from said school. *(See Chap. 419, Pub. Laws.)*

Appropriation for institutes and lectures.

SEC. 6. A sum not exceeding five hundred dollars shall be annually paid for defraying the necessary expenses and charges for teachers and lecturers for teachers' institutes, to be holden under the direction of the commissioner of public schools; and a sum not exceeding three hundred dollars shall be annually paid under the direction of the board of

education for publishing and distributing among the several towns educational publications, providing lectures on educational topics and otherwise promoting the interests of education in the state.

Annual account of commissioner of public schools.

SEC. 7. The commissioner of public schools shall render an annual account to the state auditor of his expenditures under the provisions of this chapter with his vouchers therefor.

CHAPTER 64.

Of Truant Children, and of the Attendance of Children in the Public Schools.

SECTION
1. Attendance at day schools required.
2. Private school may be approved.
3. Truant officers, and their appointment. duties and fees.
4. Inquiry to be made into causes of neglect to attend school.
5-7. Employment of children between twelve and fifteen years of age forbidden, when, unless, etc. Penalty.
8. 9. Duties of truant officers, as to children employed.

SECTION
10. Penalty for employment of children unable to read or write, when.
11. Ordinances to be made concerning truancy and idle children.
12, 13. Commitment and discharge of minors convicted under such ordinances.
14. School committee to report of action of town under this chapter.
15. Fines, how to inure.
16. Jurisdiction of district court.
17. Officers need not give surety for costs.

Children to attend a day school for what time in each year.

SECTION 1. Every person having under his control a child between the ages of seven and fifteen years shall annually cause such child to regularly attend for at least eighty full school days some public day school in the town or city in which such child resides; and while such child is not lawfully employed to labor at home or elsewhere said person shall cause such child to attend a public day school regularly during the days and hours that the public schools are in session in the city, town, or district where such child resides; and for every neglect of such duty the person so offending shall be fined not exceeding twenty dollars: *Provided*, that

Penalty, except for certain causes.

if the person so charged shall prove, or shall present a certificate, made by or under the direction of the school committee of the city or town wherein he resides, setting forth that the child has attended for the required period of time a private day school approved by the school committee of the city or town where said school is located, or that the child has been otherwise furnished for a like period of time with the means of education, or has already acquired the elementary branches of learning taught in the public schools, or that his physical or mental condition was such as to render his attendance inexpedient or impracticable, or that the child was destitute of clothing suitable for attending school and that the person in charge of said child was unable to provide such clothing, or that the child has been excused from attending school by the school committee of the city or town where he resides, then such penalty shall not be incurred. (*See Chap. 587, Pub. Laws.*)

What private schools may be approved.

SEC. 2. For the purposes of this chapter the school committees of the several towns and cities shall approve a private school only when the teaching therein is in the English language and when they are satisfied that such teaching is thorough and efficient, and when the persons in charge of said school shall keep the record of the attendance of the pupils thereof upon the blanks provided by the state for such purpose and shall render to the school committee of the town or city where said school is located a detailed report of the attendance of any pupil for any specified time: *Provided*, that the request for such report is made in writing and sets forth that such pupil is suspected of irregular attendance or truancy.

Truant officers: how appointed, and their duties.

SEC. 3. The town council of each town, and the board of aldermen of each city, shall annually appoint one or more special constables, and fix their compensation, who shall be truant officers and who shall, under the direction of the school committee, inquire into all cases arising under the provisions

of this chapter, or under any ordinances made in pursuance thereof by the town or city by which such officers were appointed, and shall alone be authorized, in case of violation of any of the provisions of this chapter, or of any such ordinances, to make complaint therefor; they shall also serve all legal processes issued in pursuance of this chapter or of any such ordinances, but shall not be entitled to receive any fees for such service: *Provided, however*, that in case of the commitment of any person under the provisions of any section of this chapter, or of any ordinance made in pursuance thereof, or for default of payment of any fine and costs imposed thereunder, such officer shall be entitled to the regular fees allowed by law for similar service.

In what cases fees to be allowed.

SEC. 4. The truant officers and the school committees of the several towns and cities shall inquire into all cases of neglect of the duty prescribed in section one of this chapter within their respective towns and cities, and ascertain the reasons, if any, therefor; and such truant officers, or any of them, shall, when so directed by the school committee, prosecute any person liable to the penalty provided for in said section one.

Inquiry to be made into causes of neglect to attend school.

SEC. 5. No child between the ages of twelve and fifteen years shall be employed in any manufacturing, mechanical or mercantile establishment, or by any telegraph or telephone company in this state, except during the vacations of the public schools of the city, town or district in which such child resides, unless, during the twelve months next preceding such employment, he shall have attended school as provided for in section one of this chapter, or shall have already acquired the elementary branches of learning taught in the public schools, or shall have been excused by the school committee of the town or city in which such child resides; nor shall such employment continue unless such child shall attend school as above provided each year, or until he shall have

Employment of any child between twelve and fifteen years of age is forbidden, when, unless, etc.

See chapter 68, section 1.

acquired the elementary branches of learning taught in the public schools.

Employer to keep on file what certificate of children.

SEC. 6. No child between the ages of twelve and fifteen years shall be so employed who does not present a certificate made by or under the direction of the school committee of the city or town in which such child resides, of his compliance with the requirements of section five of this chapter; and said certificate shall also give the place and date of birth of such child as nearly accurate as may be; and every owner, superintendent or overseer, of any establishment or company employing any such child shall keep such certificate on file so long as such child is employed therein. The form of said certificate shall be furnished by the secretary of the state board of education.

Penalty on employer, parent or guardian.

SEC. 7. Every owner, superintendent or overseer of any such establishment or company who employs or permits to be employed any child in violation of either of the two next preceding sections, and every parent or guardian who permits such employment, shall be fined not exceeding twenty dollars.

Truant officers to visit places of employment, and report.

SEC. 8. The truant officers shall, at least once in every school term, and as often as the school committee require, visit the establishments or companies employing such children in their respective towns and cities, and ascertain whether the provisions of the three next preceding sections hereof are duly observed, and report all violations thereof to the school committee.

To demand names of children employed and require certificates.

SEC. 9. The truant officers shall demand the names of the children under fifteen years of age employed in such establishments or companies in their respective towns and cities, and shall require the certificates of age and school attendance, prescribed in section six of this chapter, to be produced for

their inspection; and a refusal to produce such certificates shall be punished by a fine not exceeding ten dollars. Penalty.

Penalty for employing children unable to read or write, while the public schools are in session.

SEC. 10. Every owner, superintendent or overseer of any such establishment or company who employs or permits to be employed therein a child under fifteen years of age who cannot write his name, age and place of residence legibly, while the public schools in the town or city where such child lives are in session, shall for every such offence be fined not exceeding twenty dollars.

Ordinances are to be made concerning truants and idle children.

SEC. 11. The town council of each town, and the city council of each city, shall make all needful provisions and arrangements concerning habitual truants and children who may be found wandering about in the streets or public places therein, having no lawful occupation or business, not attending school and growing up in ignorance, and shall make such ordinances as will be most conducive to the welfare of such children and to the good order of such town or city; and shall designate or provide suitable places for the confinement, discipline and instruction of such children.

Penalty for truancy and for idleness under such ordinances.

SEC. 12. Every minor convicted, under an ordinance made under the provisions of section eleven of this chapter, of being an habitual truant, or of wandering about in the streets and public places of a town or city, or of having no lawful employment or business, or of not attending school and of growing up in ignorance, shall be committed to any institution of instruction or suitable place designated or provided for the purpose under the authority of said section eleven, for a period not exceeding two years.

Discharge of truants and idle children.

SEC. 13. Children so committed may, on satisfactory proof of amendment or for other sufficient cause, be discharged from such institution or place by the court which committed them.

School committee to report under this chapter.

SEC. 14. The school committees of the several towns and cities shall annually report to the state board of education whether their towns or cities have made the provisions required by this chapter; and in case the town council of any town, or the board of aldermen and city council of any city, shall in any year refuse or neglect to comply with the provisions of section three and section eleven of this chapter, or of either of them, after having been duly notified by the commissioner of public schools, fifty per centum of the money apportioned to such city or town from the state for school purposes shall be withheld until the provisions of said section three and section eleven of this chapter have been complied with.

In cases of failure, school money is to be withheld.

Fines, how to inure.

SEC. 15. All fines under the provisions of this chapter shall inure and be applied to the support of the public schools in the town or city where the offence was committed.

Jurisdiction of district courts.

SEC. 16. The district courts of the state shall have jurisdiction in their respective districts of all cases arising under this chapter and all ordinances passed in conformity with this chapter.

Officers complaining not required to give surety for costs.

SEC. 17. No officer complaining under any of the provisions of this chapter, or under the provisions of any ordinance that may be passed in pursuance hereof, shall be required to give surety for costs; and such officer shall not in anywise become liable for any costs that may accrue on such complaint.

CHAPTER 65.

General Provisions Relating to Public Schools.

SECTION

1. Exclusion from school to be by general rule.
2, 3. District officers to be engaged in office; record of district clerk is prima facie evidence.
4. Tenure of office of such officers.
5. Penalty for neglect of duties.
6. School committee, board of education and commissioner may visit schools aided by the state.
7. Penalty for refusing to permit such visitation.
8. Nuisances near schoolhouse, prohibited.
9. Construction of the word "town," as to the city of Providence.
10. Public schools in city of Providence, how governed.
11. Taking of fees, etc., for promoting sale or exchange of school books, etc., prohibited.
12. Offering of fees, etc., to public school officers for such purpose, prohibited.
13. Children of deceased soldiers and sailors, when admitted free to public schools.
14. Pupils not allowed to attend public schools without certificate of vaccination.
15. Penalty for violation of provisions of this chapter.
16. Special statutes prevail.

Exclusion to be by general rule.

SECTION 1. No person shall be excluded from any public school in the district to which such person belongs, if the town is divided into districts, or, if not so divided, from the nearest public school, on account of race or color, or for being over fifteen years of age, nor except by force of some general regulation applicable to all persons under the same circumstances.

Engagement of school district officers.

SEC. 2. Every school district officer elected or appointed under the provisions of this title, except the moderator of a district meeting, shall take an engagement, before some person authorized to administer oaths, to support the constitution of the United States, the constitution and laws of this state, and faithfully to discharge the duties of his office so long as he shall continue therein.

Evidence of such engagement.

SEC. 3. The record of the district clerk that any school district officer has been duly engaged shall be prima facie evidence thereof; and no school district officer shall enter upon the duties of his office without taking an engagement.

Tenure of office of such officers.

SEC. 4. Every school district officer elected or appointed under the provisions of this title shall, without a new engagement, hold his office until the time of the next annual election or appointment for such office and until his successor is elected or appointed and qualified.

Penalty for neglect of duties.

SEC. 5. Every officer who shall make any false certificate, or appropriate any public school money to any purpose not authorized by law, or who shall refuse for a reasonable charge to give certified copies of any official paper, or to account for or deliver to his successor any accounts, papers or money in his hands, or shall wilfully or knowingly refuse to perform any duty of his office, or violate any provisions of any law regulating public schools, except where a particular penalty may be prescribed, shall be fined not exceeding five hundred dollars or be imprisoned not exceeding six months, and shall be liable to an action of the case for damages to be brought by any person injured thereby.

Schools aided by state to be visited.

SEC. 6. Any school receiving aid from the state, either by direct grant or by exemption from taxation, may be visited and examined by the school committee of the town in which such school is situated, and by the members of the board of education and the commissioner of public schools, whenever they shall deem it advisable.

Penalty for refusal.

SEC. 7. Whenever such school shall refuse to permit such visitation, when requested, its exemption from taxation shall thereafter cease and be determined.

Nuisances prohibited near schoolhouses.

SEC. 8. No person shall keep any swine in any pen or other enclosure, or shall keep or suffer to be kept any other nuisance, within one hundred feet of any schoolhouse or within one hundred feet of any fence enclosing the yard of any such schoolhouse.

SEC. 9. In the construction of this title, except in the

Construction of the word "town" as to city of Providence.

construction of chapter sixty-four, and sections six and seven of this chapter, and section twenty-three of chapter sixty, the word "town" shall include the city of Providence only so far as to entitle said city to a distributive share in the public money, upon making a report to the commissioner in the same manner as the school committees of other towns are required to do. (*See Chap. 420, Pub. Laws.*)

Schools in Providence.

SEC. 10. The public schools in said city shall continue, as heretofore, to be governed according to such ordinances and regulations as the proper city authorities may from time to time adopt. (*See Chap. 420, Pub. Laws.*

Fees, or pecuniary interest in supplies, prohibited to the school officers.

SEC. 11. No superintendent or school committee of any town, or any person officially connected with the government or direction of the public schools, shall receive any private fee, gratuity, donation or compensation in any manner whatsoever for promoting the sale or the exchange of any schoolbook, map or chart in any public school, or be an agent for the sale or the publisher of any school text-book, or be directly or indirectly pecuniarily interested in the introduction of any school text-book; and any such agency or interest shall disqualify any person so acting or interested from holding any school office whatsoever.

Offering of fees, etc., prohibited.

SEC. 12. No person shall offer to any public school officer any fee, commission or compensation whatsoever, as an inducement to effect through such officer any sale or promotion of sale, or exchange, of any schoolbook, map, chart or school apparatus.

Children of deceased soldiers and sailors admitted free, when.

SEC. 13. All the public schools in the state, including the State Normal School, shall be open to the children of officers and soldiers belonging to the state, mustered into the service of the United States, and of those persons belonging to the state, and serving in the navy of the United States, who died in said service during the late rebellion against the

authority of the United States, or who were discharged from said service in consequence of wounds or disease contracted in said service, or who were killed in battle, without any cost or expense for taxes or other charges imposed for purposes of public education.

No pupil allowed to attend a public school without a certificate of vaccination.

SEC. 14. No person shall be permitted to attend any public school in this state as a pupil, unless such person shall furnish to the teacher of such school a certificate of some practicing physician that such person has been properly vaccinated as a protection from smallpox; and every teacher in the public schools shall keep a record of the names of such pupils in their respective schools as have presented such certificate.

Penalty for violating this chapter.

SEC. 15. Every person violating any provision of this chapter shall be fined not exceeding fifty dollars or be imprisoned not exceeding thirty days, unless herein otherwise provided.

Special statutes to prevail.

SEC. 16. The foregoing provisions of this title are subject to the provisions of any special statutes respecting schools, or the management of schools, in any particular town or city, none of which are repealed hereby.

CHAPTER 66.

Of the Rhode Island College of Agriculture and Mechanic Arts.

SECTION
1. Continued a body corporate for what purposes.
2. Location. To have moneys received from the United States.
3. Board of managers; term of office, vacancies, and residence.
4. Officers of the board.
5. Duties of officers and teachers.

SECTION 1. The present board of managers of the Rhode Island College of Agriculture and Mechanic Arts, and their

successors, for the terms for which they have been or for which they hereafter may be appointed or elected as such managers, shall continue to be a body politic and corporate for the purpose of continuing and maintaining said college corporation as a college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life, as provided in the act of the Congress of the United States approved July 2, 1862, entitled "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts," and for the purpose of continuing and maintaining an agricultural experiment station as a department of said college under and in accordance with, and to carry out the purposes of, the act of Congress approved March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto," by the said name of "Rhode Island College of Agriculture and Mechanic Arts," with all the powers and privileges, and subject to all the duties and liabilities set forth in chapter one hundred seventy-seven.

R. I. College of Agriculture and Mechanic Arts, is to continue a body corporate.

Leading object.

Experiment station.

SEC. 2. Said college and experiment station shall until otherwise ordered continue to be located in the town of South Kingstown upon the estate now occupied by them, and all moneys hereafter received under said act of Congress approved March 2, 1887, and under the act of Congress approved August 30, 1890, entitled, "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and mechanic arts, established under the provisions

Location.

To have the moneys received from United States.

of an act of Congress approved July 2, 1862," and all other moneys which shall be received by the state for the promotion of agriculture or the mechanic arts under or by virtue of any act of Congress, shall, as and when received, be paid over to the treasurer for the time being of said college corporation, to be used and applied and accounted for by the managers and officers of said corporation for the time being, as required by the respective acts of Congress under which the same are received. And the managers and officers of said corporation shall perform all the duties, and make and publish, distribute and render all bulletins and reports required by said acts of Congress, or by any acts in amendment thereof or supplementary thereto; and shall also report to the general assembly annually at its January session.

Duty of managers and officers.

Term of office and future appointment of managers.

SEC. 3. The several members of said present board of managers of said college corporation shall continue to hold their respective offices during the terms for which they were last appointed and until their respective successors are qualified to act; and upon the expiration of the term of office of that member of said board whose term shall expire next after the General Laws shall go into operation, and in every year thereafter, there shall be one member of said board appointed by the governor, with the advice and consent of the senate, for the term of five years and until his successor shall be qualified to act. In case of a vacancy in said board such vacancy shall be filled, if the general assembly be in session, by the governor with the advice and consent of the senate, if not in session by the governor until the next session of the general assembly, when, as soon as may be, an appointment shall be made by the governor with the advice and consent of the senate, to fill such vacancy, and the person so appointed shall hold his office for the remainder of the unexpired term. And every future member of said board shall be a domiciled inhabitant of the same county as was the re-

Vacancies.

Future members.

tiring member of the board whose place he is appointed to fill.

Board of managers, officers of.

SEC. 4. Said board of managers shall annually elect one of their own number to be president of the board, who shall also be the president of the corporation and shall continue in office until his successor is elected. They shall also from time to time appoint a treasurer and a clerk, who shall also be officers of the corporation, and who may be, but need not necessarily be, the same person or members of the board, and who shall hold their respective offices at the pleasure of the board. The treasurer before entering upon his office shall give bond to the state for the faithful discharge of his duties, in form to be approved by the attorney-general, in a penal sum to be fixed by the said board of managers and with surety or sureties to be approved by the governor; such bond to be filed and to be kept on file in the office of the secretary of state, and which bond shall be renewed whenever required by the board of managers or by the governor. And the treasurer shall make a full detailed report annually to the general assembly, at its January session, of all his receipts and expenditures, properly audited by the board of managers or a committee thereof.

Treasurer to give bond.

Treasurer to make an annual report.

Managers to employ professors, make rules, and appoint a faculty.

SEC. 5. Said board of managers shall have the general care and management of said estate in South Kingstown and of said college and experiment station, and may employ professors, teachers and other persons in and about the same and prescribe their duties and fix their compensation, and from time to time make rules and regulations for their government; and may also make by-laws, rules, and regulations to govern their own meetings and proceedings. Said board of managers shall from time to time appoint the faculty of said college; and such faculty shall from time to time arrange the courses of study, conforming to said acts of congress in this behalf, and prescribe such qualifications for admission

Courses of studies, and awarding of degrees and diplomas.

of students, and such rules of study, exercise, discipline, and government, as they shall deem proper; they may also grant academical degrees and diplomas appropriate to the courses of study to those students of good moral character who shall have pursued the prescribed courses and passed satisfactory examinations.

CHAPTER 67.

Of State Beneficiaries at the Rhode Island School of Design.

SECTION
1. Appropriation for.
2. Annual report.
3. Ex-officio directors.
4, 5. State beneficiaries, and how appointed.
6. Tuition fees, how paid.

Appropriation for the R. I. School of Design, how paid; powers of board of education.

SECTION 1. Such sums as shall be from time to time appropriated by the general assembly to the Rhode Island School of Design, shall be paid by the general treasurer upon the orders of the state board of education, who are hereby empowered and authorized to visit and examine said school at their pleasure.

Annual report.

SEC. 2. The directors of the above-named school of design shall make an annul report to the state board of education in manner and form prescribed by said board of education.

Ex-officio directors.

SEC. 3. The state board of education are hereby authorized and empowered to elect two of their number who, by virtue of said election, shall be members of the board of directors of said school of design.

Appointment of state beneficiaries at the R. I. School of Design.

SEC. 4. The state board of education are hereby authorized to appoint as state beneficiaries at the Rhode Island School of Design, persons of proper age, character and acquirements, who have not the means of defraying the expense of instruction in said school themselves.

Appointments, how to be made.

SEC. 5. The secretary of the board of education shall receive and file in their order the applications of all persons who desire to receive such appointment; and in making their appointments the board shall, as far as practicable, make them so that the people of the several counties may participate in the advantages as nearly as possible in proportion to the respective populations of the counties according to the last United States census.

Tuition fees, how to be paid.

SEC. 6. The board of education are hereby authorized to draw their orders on the general treasurer for the payment of the tuition fees of the beneficiaries appointed by them as above.

CHAPTER 68.

Of Factory Inspection.

SECTION
1, 2. Children under 12 years of age not to be employed in factories.
SECTION
3. Factory inspectors; appointment, tenure of office and duties.

Children under twelve years of age not to be employed, how.

SECTION 1. No child under twelve years of age shall be employed in any factory, manufacturing or mercantile establishment, within this state. It shall be the duty of every person, firm or corporation employing children, to keep a register in which shall be recorded the name, birthplace, age and place of residence of every person employed under the age of sixteen years; and said register shall be produced for inspection on demand by either of the inspectors appointed under this chapter.

Register of children under sixteen years of age to be kept.

What deemed to be employment under this chapter.

SEC. 2. No person, firm or corporation employing less than five persons who are women or children shall be deemed a factory, manufacturing or mercantile establishment within the meaning of this chapter.

Factory inspectors; how appointed, and term of office.

Removal from office, and vacancies.

Duties of inspectors.

SEC. 3. The governor shall, between the fifteenth and thirtieth days of June, in the year eighteen hundred ninety-seven, and between the fifteenth and thirtieth days of June in every third year thereafter, appoint two factory inspectors, one of whom shall be a woman, whose term of office shall be three years from date of their appointment and until their successors shall qualify. They shall at all times be subject to removal by the governor for neglect of duty or malfeasance in the discharge of duty; and in case of removal as aforesaid, or of vacancies in said offices from any cause, the governor shall appoint successors to fill such vacancies for the unexpired term of said office. The said inspectors shall be empowered to visit and inspect, at all reasonable hours, and as often as practicable, the factories, workshops and other establishments in the state employing women or children, and shall report to the general assembly of this state at its January session in each year, including in said report the names of the factories, the number of such hands employed, and the number of hours' work performed each week. It shall also be the duty of said inspectors to enforce the provisions of this chapter, and to prosecute all violations of the same before any court of competent jurisdiction in the state. The said inspectors shall devote their whole time and attention to the duties of their respective offices. In case of any conflict of authority between the said inspectors, either of them may apply for instructions to the governor, whose decision of the controversy, after hearing the statement of each inspector and making such further investigation of the circumstances as he may deem necessary, shall be final.

CHAPTER 85.

Of Provision for the Education of Deaf, Blind, and Imbecile Children.

SECTION
1. State beneficiaries.
2. Supervision, and annual report.
3. Clothing, how furnished.
4. Bills, how approved and paid.

SECTION 1. The governor, on recommendation of the state board of education, upon application of the parent or guardian, may appoint any deaf, blind or imbecile child, being a legal resident of this state, who shall appear to said board to be a fit subject for education, as a state beneficiary at any suitable institution or school now established, or that may be established, either within or without the state, for such period as he may determine: *Provided*, that no beneficiary shall receive educational aid for a longer time than ten years; and the governor shall have the power to revoke any such appointment at any time for cause. (*See Chapter 322, Public Laws.*)

Deaf, blind, imbecile children as state beneficiaries.

What limitations.

SEC. 2. The board of education are hereby clothed with the duty and responsibility of supervising the education of all such beneficiaries, and no child appointed as above shall be withdrawn from any institution or school except with their consent, or the consent of the governor; and said board shall annually report to the general assembly their doings under this chapter, with such further information in relation to the several institutions at which these beneficiaries have been placed as may be deemed desirable.

Board of education to have supervision.

Annual report.

SEC. 3. The board of education may expend in the purchase of necessary clothing for such beneficiaries a sum not exceeding twenty dollars, in any calendar year, for a single child.

Clothing.

SEC. 4. All bills arising under this chapter shall be ex-

Bills, how approved and paid.

amined and approved by the board of education, and the state auditor is hereby authorized to draw his orders on the general treasurer for the payment thereof when properly certified by the secretary of the board and approved by the governor, and a sum not to exceed twelve thousand dollars, or so much thereof as may be needed, is hereby annually appropriated therefor out of any money in the treasury not otherwise appropriated.

CHAPTER 86.

Of the Rhode Island Institute for the Deaf.

SECTION
1. Management and control vested in trustees.
2. Trustees, how appointed and term of office.
3. Power of board of trustees to admit.
4. Who may be admitted. Objects of the institute, and how managed.
5. Trustees to report annually to general assembly.
6. This chapter not affected by chapter 51, sections 9, 10, and 11.

R. I. Institute for the Deaf to be managed and controlled by trustees.

SECTION 1. The governor and lieutenant-governor together with nine citizens of this state, of whom six shall be men and three women, to be appointed as hereinafter provided, shall constitute a board of trustees in whom shall be vested the management and control of a state institution for the instruction and maintenance of deaf children in accordance with the provisions of this chapter. Such institution shall be known as the Rhode Island Institute for the Deaf.

Trustees of, how appointed, and terms of office.

SEC. 2. Said trustees, other than the governor and lieutenant-governor, shall be appointed by the governor; and said trustees now in office shall continue to serve, in classes of three each, for and during the terms for which they were appointed, respectively; and in the year eighteen hundred ninety-seven, and once in every two years thereafter, three trustees in the said board shall in the same manner be appointed for a term of six years, to fill the places of those

whose terms shall have expired; and vacancies which may occur from death and resignation shall be filled by the governor for the remainder of the unexpired term. The members of said board of trustees shall receive no compensation for their services.

Power of the board of trustees to admit.

SEC. 3. The board of trustees may admit such persons therein as hereinafter is provided. (*See Chapter 332, Public Laws.*)

Who may be admitted.

SEC. 4. Deaf persons between the ages of three and twenty years, and of sufficient capacity for instruction, who are legal residents of the state, shall be entitled to the privilege of the school without charge, and for such period of time in each individual case as may be deemed expedient by the board of trustees; residents of other states may be admitted upon the payment of such rates of board and tuition as may be fixed by the board of trustees. The primary object of the school shall be to furnish to the deaf children of this state, oral instruction, and the best known facilities for the enjoyment of such a share of the benefits of the system of free public education as their afflicted condition will admit of. The board of trustees shall have charge of the affairs of the institution, with power to make such by-laws and regulations for the government thereof (not inconsistent with the provisions of this chapter) as they may deem expedient. They shall elect from their own number a president and secretary, together with such standing committees as they may deem necessary. They shall appoint a principal who shall be the chief executive officer of the institution, and shall have charge of the educational and internal affairs of the institution, and shall also, upon the nomination of the principal, appoint teachers and subordinate officers, prescribe the duties and terms of service of the same, and fix their salaries, and for just cause remove any or all of them. They shall likewise employ the requisite number of servants and other assistants,

Object of Institute.

Management.

and fix the wages of the same, and shall purchase all furniture, schoolbooks, school apparatus and other supplies necessary to the equipment and carrying-on such institution. (*See Chap. 545, Pub. Laws.*)

Board of trustees are to report annually.

SEC. 5. The board of trustees shall annually in the month of January make a report to the general assembly, of the state and condition of the school, and a statement of all expenses incurred for salaries, maintenance, tuition and other items of current expense, together with an estimate of the amount of money necessary to meet the current expenses of the next year.

This chapter is not affected by chapter 51, sections 9, 10 and 11.

SEC. 6. The provisions of this chapter are not repealed, affected or modified by the provisions of sections nine, ten and eleven of chapter fifty-one.

CHAPTER 87.

Of the State Home and School for Children.

SECTION.
1-3. Board of control; number, term of office, and how appointed.
4. Secretary, duties and term of office.
5. Compensation to secretary only, but travelling expenses to all.
6. Government of the school.
7. What childen to be received; what may be returned, when, to authorities.
SECTION
8. Object of school, and duty of the board.
9. Jurisdiction of probate courts.
10. Board to keep a register of the children in the school.
11. To make anuual report to board of education.

Board of control.

SECTION 1. The control and maintenance of the state home and school for dependent and neglected children shall continue to be vested in a board of control, to be called the "board of control of the state home and school." Said school shall be known as the State Home and School for Children.

Number of board.

SEC. 2. The said board shall consist of seven persons, four of whom shall be men and three women, and, in addition, of such person as may be secretary of said board. The

terms of office of the members of said board shall begin on the first day of July. Terms of office.

SEC. 3. The governor, by and with the advice and consent of the senate, shall appoint the members of said board, other than the secretary; and he shall annually, upon the expiration of the term of office of any of said board, appoint persons to such office in place of those whose terms shall expire, and every person so appointed shall hold his office for three years, unless sooner removed. Every appointment to fill a vacancy shall be for the remainder of the term. How appointed.

SEC. 4. Said board may appoint a secretary, who shall by virtue of his office be a member of the board; he shall give bond to the state in such sum as the board may require, for the faithful performance of his duties; he shall keep a record of all the doings of said board, and shall perform such other duties as may be by them required. Such secretary shall hold his office during the pleasure of the board. Secretary, duties and term of office.

SEC. 5. No member of the board, except the secretary, shall receive any compensation for his services, but every member shall be paid out of the state treasury his necessary travelling expenses. Compensation to the secretary only, but travelling expenses to all.

SEC. 6. The said board shall establish a system of government for the institution, and shall make all necessary rules and regulations for imparting instruction, and for the proper training of the children. They shall appoint such officers, teachers and employees as shall be necessary, and prescribe their duties and fix their salaries. Government of the school.

SEC. 7. They shall receive, in accordance with rules by them established, such children as may be declared vagrant, neglected and dependent on the public for support, as provided in this chapter, who are over four and under fourteen years of age, and who are in a suitable condition of mind and What children are to be received.

body to be instructed; for exceptional reasons, children under four years may be received, should the board deem it advisable. Any child who shall be found by the board to be of unsound mind, or who may be considered by the board an improper inmate of said institution, shall be forthwith returned by them to the authorities from whom said child was received, who are hereby required to receive the same; and all children admitted shall remain until they are eighteen years of age, unless otherwise ordered by the board.

Children received, to be returned, when, to authorities.

Object of the school, and duty of the board to carry out the purposes of this chapter.

SEC. 8. It is declared to be the object of this chapter to provide for neglected and dependent children, not recognized as vicious or criminal, such influences as will lead toward an honest, intelligent and self-supporting manhood and womanhood, the state, so far as possible, holding to them the parental relation. But if at any time, in the discretion of the board, this object can be better attained by placing a child in a good family, they shall have the power to do so on condition that its education shall be provided for by such family in the public schools of the town or city where they may reside. The board are hereby made the legal guardians of all the children who may become inmates of the home and school, and charged with the duty of following such children as may be placed in families, with watchful care, and of taking them back to their own immediate supervision if at any time they fail to receive kind and proper treatment and a fair elementary education; and in case any child shall leave without permission, or be taken by any person unauthorized from said institution or from any family where it shall have been placed by said board, then said board is hereby authorized to take and restore said child to said institution or to the family.

Certain officers are to bring the children, contemplated by this chapter, before court of probate.

SEC. 9. It shall be the duty of the superintendents or overseers of the poor in the several towns to, and any agent of the Rhode Island Society for the Prevention of Cruelty to Children may, bring before the courts of probate of such

towns for examination, children supported in poorhouses or otherwise dependent on the public for support, or other children found to be in a state of vagrancy, want, or suffering, or abandoned by their parents or guardians or not having any home or settled abode or proper guardianship; and thereupon it shall be the duty of the court of probate before whom any such child is brought, to investigate the facts and ascertain if the child is so supported, or is in a state of vagrancy, want, and suffering, or is abandoned by its parents or guardians, or is without home or settled abode or proper guardianship, and also to ascertain its name, age and place of birth, and the names and residence of its parents or guardians, if it have any, and where and for what length of time, if at all, it has been supported at the expense of the town or state; and said courts of probate shall have power to compel attendance of witnesses. The parents or any friend may appear in behalf of any child, and the court of probate in its discretion may request some suitable person to appear in behalf of any child; and if on such examination the court shall find that such child is so supported or dependent, or is in a state of vagrancy, want, and suffering, or is so abandoned, or without home or settled abode or proper guardianship, it shall make a proper order containing a statement of the facts ascertained as to said child, and entrusting said child to the care and custody of the said board, together with a direction to the superintendent or overseer of the poor to take said child to the state home and school, and shall deliver to the superintendent or overseer of the poor, or other person procuring such examination, a certified copy thereof. Such certified copy of such order shall then be delivered with the child at the home and school, to the presiding officer thereof. All expenses attending the foregoing proceedings shall be paid by the town or city in which the child belongs: *Provided*, that children between the ages of four and fourteen supported in the state almshouse may be brought before the probate court of the town

Jurisdiction of courts of probate herein.

Parents or frends may appear for child.

Order of court, and execution thereof.

Expenses to be paid by the town.

Proviso as to children in state almshouse.

of Cranston by the agent of the board of state charities and corrections, and said court is hereby clothed with the same power over such children, and such proceedings may be had, as if they were regularly domiciled in said town; and all expenses incident to the hearings in said cases before said probate court shall be paid by the state, and the state auditor is hereby authorized to draw his orders for the payment of all such bills, when certified by the secretary of the board of control of the state home and school, out of any money in the treasury not otherwise appropriated.

Expenses to be paid by the state.

Register of children.

SEC. 10. The board shall provide a book in which shall be registered the names, ages and places of birth of the children under their care; the residence of the parents or guardians as nearly as can be ascertained; the date when each child is received and from what town, and when he leaves the school; and whenever a child is placed in a family, the name, residence and occupation of such family; and such book shall be open at all times for the inspection of the probate clerks and the overseers of the poor of the several cities and towns of the state.

Annual report to be made to state board of education.

SEC. 11. The said board of control shall annually report to the state board of education, in the month of November, upon the condition of the school, the number of inmates thereof, the expenditures for the year, and their estimates for the year ensuing, together with such other matters as may seem desirable; which report shall be included by said state board of education in its annual report to the general assembly.

Board of education to report to general assembly.

CHAPTER 111.

Of Dogs.

SECTION
10. Dogs to be licensed, fees: penalty.
15, 16. Mode of appraising damage by dogs. Balance to be applied for support of public schools.

SECTION 10. Every owner or keeper of a dog, of what age soever, shall annually in the month of April cause such dog to be registered, numbered, described and licensed from the first day of the ensuing June, in the office of the town clerk of the town wherein such owner or keeper resides; and shall cause it to wear a collar around its neck distinctly marked with its owner's name and with its registered number; and shall pay to such clerk, for such license, one dollar and fifteen cents for a male dog and five dollars and fifteen cents for a female dog; and all licenses granted under the provisions of this chapter shall be valid in every town during the then current year; *Provided, however*, that any owner or keeper of a dog of what age soever may, in the month of May in any year, have such dog licensed as aforesaid, upon paying to such clerk two dollars and fifteen cents for a male dog and six dollars and fifteen cents for a female dog; *and provided further*, that any person who shall become the owner or keeper of a dog, of what age soever, after the last day in May in each year, and prior to the first day of April following, shall cause the same to be registered, numbered, collared and licensed, within thirty days after he becomes such owner or keeper, upon the payment of one dollar and fifteen cents for a male dog and five dollars and fifteen cents for a female dog. Every person owning or keeping a dog not registered, licensed and collared according to the provisions of this section shall be fined ten dollars, one half thereof to the use of the complainant and one half thereof to the use of the town wherein such dog shall have been kept, to be applied by the said town to the support of public schools therein.

Dogs to be licensed, etc., in April;

fees therefor.

May be licensed, in May; fees therefor.

When to be licensed within 30 days.

Penalty.

For support of public schools.

SEC. 15. Each town or city council, excepting town and city councils in the county of Newport, shall annually in the month of April appoint one or more suitable persons appraisers, who shall be sworn to the faithful discharge of their duties, to appraise the damage that may be done to any

Appraisers of damage done by dogs.

owner of any sheep or lambs, cattle or horses, hogs or fowls, suffering loss by reason of the biting, maiming or killing thereof by any dog or dogs, and to give a statement thereof in writing to the owner suffering such loss; and such owner, suffering loss as aforesaid, shall, within two days after such loss shall come to his knowledge, notify the appraiser, so appointed and sworn, living nearest to him in the town wherein such owner resides, of such loss; and said appraiser shall, on receipt of twenty-five cents for each mile's travel and the sum of one dollar from such owner, appraise the damage and give a statement thereof in writing, with his lawful fees taxed thereon, to such owner; and said owner shall, within sixty days thereafter, present the same to the town council of such town, who shall draw an order on the town treasurer for the amount of such appraisal and fees, or for such other amount as they, in their discretion, after careful examination, shall deem just; and said order, when presented to the town treasurer, shall be paid in the same manner as any other order made by the town council upon the town treasurer; and should any money, received under the provisions of this chapter, remain in the town treasury after April first, the town treasurer shall, on the first Monday in May following, pay over the whole of such money so remaining to the school fund of such town for the support of the public schools therein; *Provided, however*, that any town, at its annual meeting or at a town meeting specially called for that purpose, may vote to retain such money as a separate fund for the payment of damages done as aforesaid.

Mode of appraising damage; damages how paid.

Balance to be applied to school fund, except when.

Same subject: in Newport county.

SEC. 16. Each town or city council in the county of Newport shall annually in the month of April appoint one or more suitable persons appraisers, who shall be sworn to the faithful discharge of their duties, to appraise the damage that may be done to any owner of any sheep or lambs, cattle, horses, hogs or fowls, suffering loss by reason of the biting,

maiming or killing thereof by any dog, and to give a statement thereof in writing to the owner suffering loss; and such owner, suffering loss as aforesaid, shall, within two days after such loss shall come to his knowledge, notify the appraiser, so appointed and sworn, living nearest to him in the town wherein such owner resides, of such loss; and said appraiser shall, on receipt of twenty cents for each mile's travel and the sum of one dollar from such owner, appraise the damage and give a statement thereof in writing, with his lawful fees taxed thereon to such owner; and said owner shall, within sixty days thereafter, present to the town or city council of the town or city where such damage is done the appraisal thereof, and thereupon the town or city council of such town or city shall draw an order on the town or city treasurer for the amount of such appraisal and fees, or for such other amount as they, in their discretion, after careful examination, shall deem just. And such town or city treasurer shall annually, on the last Monday in March, pay all such orders in full, if the gross amount thus received by such town or city under the provisions of this chapter, after deducting all sums previously laid out under such provisions, is sufficient therefor; otherwise the town or city treasurer shall divide such amount, after deducting as aforesaid, pro rata among said orders; and the payment thereof shall be in full discharge of such orders; and should any money, received under the provisions of this chapter, remain in the town treasury after payment provided for herein, the town or city treasurer shall, on the first Monday in May following, pay over the whole of such money so remaining to the school fund of such town or city for the town or city for the support of the public schools therein: *Provided, however*, that any town in said county at its annual meeting, or at a town meeting specially called for that purpose, or any city in said county by its city council, may vote to retain such money as a separate fund for the payment of damages done as aforesaid.

Mode of appraising damage; damages how paid.

Balance to be applied to school fund, except when.

CHAPTER 166.

Of Bills of Exchange and Promissory Notes, and of Legal Interest.

SECTION 8. What days shall be holidays.

Holidays.

SECTION 8. The twenty-second day of February (as Washington's birthday), the first Wednesday of April (as State election day), the thirtieth day of May (as Memorial day), the fourth day of July (as Independence day), the first Monday of September (as Labor day), the twenty-fifth day of December (as Christmas day), and each of said days in every year, such day as the governor of this state shall appoint as Arbor day in every year, the Tuesday next after the first Monday of November in the year eighteen hundred ninety-six and in every second year thereafter (as National election day), or when either of the said days falls on the first day of the week, then the day following it, the first day of every week (commonly called Sunday), and such other days as the governor or general assembly of this state, or the president or the congress of the United States, shall appoint as holidays for any purpose, days of thanksgiving, or days of solemn fast, shall be holidays. (*See Chapter 334, Public Laws.*)

CHAPTER 176.

Of Incorporation.

SECTION
11. Miscellaneous corporations are formed by what articles of agreement, how executed, and, with certificate of fee paid, where filed. Form of certificate of incorporation.
12. Certificate of incorporation confers what powers.
13. Such corporation may hold property to what amount.
14. Articles of agreement may be amended, how.
15. Certified copies of incorporations are admissible in evidence.

Miscellaneous corporations, how formed.

Section 11. All libraries, lyceums, fire engine companies, and corporations formed for religious, charitable, literary, scientific, artistic, social, musical, agricultural or sporting purposes, not organized for business purposes, and all other corporations of like nature not hereinbefore otherwise provided for, shall be created in the following manner, viz.: Five or more persons of lawful age shall associate by written articles which shall express:

Agreement.

First. Their agreement to form said corporation;

Name.

Second. The name by which it shall be known, which name shall not then be in use by any existing corporation of the state;

Purpose.

Third. The purpose for which it is constituted;

Location.

Fourth. The town or city in which it is to be located.

Agreement must be signed, acknowledged, and filed in office of the secretary of state, with a certificate of the payment of fee.

Said agreement shall be signed and acknowledged by all the members named therein, and shall prescribe the manner in which the first meeting shall be held and organized. Said agreement shall be filed in the office of the secretary of state, and said persons shall pay a fee of five dollars into the general treasury of the state. When said agreement has been so filed, together with the certificate of the general treasurer that the fee of five dollars has been paid, and the sum of one dollar has been paid to said secretary of state for the certificate hereinafter required, the secretary of state shall thereupon issue to said corporation his certificate, under the seal of the state, substantially in the following form:—

Certificate of incorporation to be issued by secretary of state.

State of Rhode Island and Providence Plantations.

Form of certificate.

I, secretary of state, hereby certify that [*here insert names of all the corporators*] have filed in the office of the secretary of state their agreement to form a corporation under the name of [*here insert name of corporation*] for the purpose [*here insert purpose*] in accordance with law, and have also filed the certificate of the general treasurer that they

have paid into the general treasury of the state the fee required by law.

Witness my hand and the seal of the state of Rhode Island this day of in the year .

Certificate to confer what powers.

SEC. 12. When said certificate has been issued as aforesaid said corporators shall be authorized to carry out the purpose of such agreement with all the powers and subject to all the duties and liabilities as provided herein and in chapter one hundred seventy-seven and all amendments thereof and additions thereto, so far as not inconsistent with the provisions of this chapter, and so far as the provisions of said chapter one hundred seventy-seven shall be applicable to such corporation.

May hold property to amount of $100,000; in excess thereof, by special charter only.

SEC. 13. Said corporation shall be entitled to take, hold, transmit and convey real and personal estate to an amount not exceeding in all one hundred thousand dollars. But if such corporation desires to take and hold property to an amount exceeding one hundred thousand dollars either originally or by amendment, such privilege shall be granted only by the general assembly on petition thereto.

Articles of agreement may be amended, how, excepting as provided in section 13.

SEC. 14. Such agreement may be amended in any particular not inconsistent with the provisions of this chapter, excepting as provided in the preceding section, by vote of the corporation and the filing in the office of the secretary of state of a copy of such vote duly attested by the president and secretary of said corporation.

Copies, when certified by secretary of state, to be taken in evidence.

SEC. 15. Copies of agreements to form corporations, when formed by agreement, or of any amendment thereof, and the fact of their being filed in the office of the secretary of state and the date of such filing, and the filing of the certificate of the general treasurer, shall, when certified to by the secretary of state, be received in evidence before any court, tribunal or authority.

CHAPTER 278.

Of Offences Against Public Peace.

Section 7. Disturbing town, ward, religious, scientific, etc., meetings, how punished.

Section 7. Every person who shall wilfully interrupt or disturb any town or ward meeting, any assembly or people met for religious worship, any public or private school, any meeting lawfully and peaceably held for purposes of moral, literary or scientific improvement, or any other lawful meeting, exhibition or entertainment, either within or without the place where such meeting or school is held, shall be imprisoned not exceeding one year or be fined not exceeding five hundred dollars.

Penalty for wilfully disturbing meetings.

CHAPTER 279.

Of Offences Against Private Property.

Section
52. Of malicious mischief to books, etc., of free public libraries.
53. Of neglect to return to such libraries, books, pamphlets, etc., after due notice.

Section 52. Every person who, wilfully and maliciously or wantonly and without cause, writes upon, injures, defaces, tears or destroys any book, pamphlet, plate, picture, engraving or statue, or other property belonging to any law, town, city or other free public library, or suffers any such injury to be inflicted while said property is in his custody, shall be fined not less than one dollar nor more than ten dollars, the same to be for the use of the library.

Penalty for malicious mischief to books, etc., of free public library.

Sec. 53. Every person who shall take or borrow from any law, town, city or other free or public library any book, pamphlet, paper or other property of said library and who, upon

Of neglect to return to such library, books, pamphlets, etc., after due notice.

neglect to return the same within the time required and specified in the by-laws, rules or regulations of the library owning the property, has been notified by the librarian or other proper custodian of the property that the same is overdue, shall, upon further neglect to return the same within two weeks from the date of such notice, be considered to have unlawfully converted the property of the library to his own use. A written or printed notice, given personally or sent by mail to the last known or registered place of residence, shall be considered a sufficient notice.

CHAPTER 283.

Of Offences Against Public Policy.

Sec. 29. Flags or emblems of foreign countries not to be displayed upon public buildings and schoolhouses.

Flags or emblems of foreign countries not to be displayed upon public buildings and schoolhouses.

Section 29. It shall be unlawful to display the flag or emblem of any foreign country upon the flagstaff of any state, county, city or town building or public schoolhouse within this state: *Provided, however*, that when any foreigner shall become the guest of the United States, or of this state, the flag of the country of which such public guest shall be a citizen or subject may be displayed upon public buildings, except public schoolhouses. Every person who shall violate the provisions of this section shall be fined not less than twenty-five nor more than one hundred dollars.

PUBLIC LAWS.

CHAPTER 304.

AN ACT IN AMENDMENT OF CHAPTER 55 OF THE GENERAL LAWS, "OF THE POWERS OF SCHOOL DISTRICTS." Passed January 31, 1896.

It is enacted by the General Assembly as follows:

SECTION 1. Every school district deciding to elect three trustee under the provisions of Chapter 55 of the General Laws, may at its annual meeting for the election of school district officers elect one of such trustees for a term of three years, one for a term of two years and one for a term of one year; and annually thereafter shall be elected one trustee to serve for the term of three years. Of the election of trustees of school districts.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby annulled.

SEC. 3. This act shall take effect on and after February 1st, 1896.

CHAPTER 322.

AN ACT IN AMENDMENT OF CHAPTER 85 OF THE GENERAL LAWS, "OF PROVISION FOR THE EDUCATION OF THE DEAF, BLIND AND IMBECILE CHILDREN." Passed April 29, 1896.

It is enacted by the General Assembly as follows:

SECTION 1. Section 1 of Chapter 85 of the General Laws is hereby amended so as to read as follows:

Deaf, blind or imbecile children may be appointed state beneficiaries to certain institutions.

"SECTION 1. The governor, on recommendation of the state board of education, upon application of the parent or guardian, may appoint any deaf, blind or imbecile child, being a legal resident of this state, who shall appear to said board to be a fit subject for education, as a state beneficiary at any suitable institution or school now established, or that may be established, either within or without the state, for such period as he may determine, within the limit of ten years: *Provided*, that he may, upon the special recommendation of the state board of education, extend the period, and that he shall have the power to revoke any appointment at any time for cause."

SEC. 2. This act shall take effect on and after its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

CHAPTER 332.

Passed May 13, 1896.

AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 86 OF THE GENERAL LAWS, ENTITLED "OF THE R. I. SCHOOL FOR THE DEAF."

It is enacted by the General Assembly as follows:

Who may attend the R. I. Institute for the Deaf.

SECTION 1. All children of parents, or under the control of guardians or other persons, legal residents of this state, between the ages of three and twenty years, whose hearing or speech, or both, are so defective as to make it inexpedient or impracticable to attend the public schools to advantage, not being mentally or otherwise incapable, may attend the Rhode Island Institute for the Deaf, without charge, under such rules and regulations as the board of trustees of said institute may establish.

SEC. 2. Every person having under his control any such

child between the ages of seven and eighteen years, shall cause such child to attend school at said institute for such period of time or such prescribed course, in each individual case, as may be deemed expedient by the board of trustees and for any neglect of such duty the person so offending shall be fined not exceeding twenty dollars: *Provided*, that if the person so charged, shall prove to the satisfaction of said board that the child has received or is receiving, under private or other instruction, an education suitable to his condition, in the judgment of said board, then such penalty shall not be incurred: *provided further*, that no child shall be removed to said institution or taken from the custody of its parent or guardian except as a day scholar unless such parent or guardian is an improper person to have such custody, and the supreme court in its appellate division shall have jurisdiction in habeas corpus to examine into and revise all findings of said board of trustees under this act.

Certain children to attend said institute.

Exceptions.

SEC. 3. Any child having attended said institute a time or course prescribed by said board, upon leaving the institute shall be entitled to receive a certificate of his proficiency from said board.

SEC. 4. This act shall take effect from and after its passage.

CHAPTER 334.

AN ACT IN AMENDMENT OF CHAPTER 165 OF THE GENERAL LAWS.

Passed May 13, 1896.

It is enacted by the General Assembly as follows:

SECTION 1. Section 8 of Chapter 166 of the General Laws is hereby amended so as to read as follows:

Arbor day designated.

"SEC. 8. The twenty-second day of February (as Washington's birthday), the first Wednesday of April (as State election day), the thirtieth day of May (as Memorial day), the fourth day of July (as Independence day), the first Monday of September (as Labor day), the twenty-fifth day of December (as Christmas day), the second Friday in May (as Arbor day), and each of said days in every year, the Tuesday next after the first Monday of November in the year eighteen hundred ninety-six and in every second year thereafter (as National election day), or when either of the said days falls on the first day of the week, then the day following it, the first day of every week (commonly called Sunday), and such other days as the governor or general assembly of this state, or the president or the congress of the United States, shall appoint as holidays for any purpose, days of thanksgiving, or days of solemn fast, shall be holidays."

SEC. 2. This act shall take effect upon its passage.

CHAPTER 419.

Passed Oct. 2, 1896.

AN ACT IN AMENDMENT OF CHAPTER 63 OF THE GENERAL LAWS, "OF THE NORMAL SCHOOL, TEACHERS' INSTITUTES, AND LECTURES."

It is enacted by the general assembly as follows:

SECTION 1. Section 5 of Chapter 63 of the General Laws is hereby amended so as to read as follows:

When may pay travelling expenses of pupils.

"SEC. 5. The trustees of the Normal School may pay to each pupil who shall reside within the State and not within five miles of said school, who shall have been duly admitted thereto, and who shall have attended the regular sessions of said school and complied with the regulations thereof during

the term next preceding such payments, not exceeding ten dollars for each quarter year for travelling expenses; but such payments in the aggregate for such travelling expenses shall not exceed the sum of two thousand dollars in any one year, and shall be made to the respective pupils entitled to the same in proportion to the distance they may reside from said school."

SEC. 2. This act shall take effect on and after its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

CHAPTER 420.

AN ACT IN AMENDMENT OF CHAPTER 65 OF THE GENERAL LAWS, ENTITLED "GENERAL PROVISIONS RELATING TO PUBLIC SCHOOLS."

Passed Oct. 2, 1896.

It is enacted by the General Assembly as follows:

SECTION 1. Sections 9 and 10 of Chapter 65 of the General Laws are hereby repealed.

Repeal of sections 9 and 10.

SEC. 2. In the city of Providence, the school committee of said city shall hereafter employ the superintendent and teachers, have charge and custody of all school buildings and school property, manage and regulate the schools, and draw all orders for payment of their expenses from the money appropriated by the city council for the support of public schools: *Provided, however*, that the city council of said city shall have the expenditure of all sums appropriated for the purchase of land for school purposes or for the improvement of the same or for the construction or repair of school buildings.

Powers of school committee of Providence.

SEC. 3. This act shall take effect from and after its passage.

CHAPTER 485.

Passed May 21, 1897.

AN ACT TO PROVIDE FOR THE CREATION AND DISBURSEMENT OF A PUBLIC SCHOOL TEACHERS' RETIREMENT FUND IN THE CITY OF PROVIDENCE.

It is enacted by the General Assembly as follows :

School committee of Providence authorized to establish a Public School Teachers' Retirement Fund.

SECTION 1. The school committee of the city of Providence shall have power to establish what shall be known as the Public School Teachers' Retirement Fund, which fund shall be administered by the board of trustees hereinafter provided for. Said fund shall consist of :

First. All moneys received from donations, legacies, gifts, bequests, or otherwise, for or on account of said fund.

Second. On and after October first eighteen hundred ninety-seven, the school committee shall reserve and turn over to said fund one per cent. of the salaries paid to teachers who shall prior to that date elect to come under the provisions of this act ; and one per cent. of the salaries paid to all teachers appointed after said date : *Provided*, that no teacher shall be assessed for more than one per cent. of twelve hundred dollars per annum.

Third. All interest or income derived from the above moneys.

Fund to be administered by whom.

SEC. 2. The president or chairman of the school committee together with three members chosen by said committee, the superintendent of schools, the city treasurer of the city of Providence who shall be ex-officio the treasurer of said fund, and three representatives to be elected annually by those teachers of the public schools who contribute to the support of this fund in accordance with section 1 of this act, shall form a board of trustees who shall have charge of and administer said fund, and said board of trustees shall

have power to invest and re-invest the same as shall be deemed by them most beneficial to said fund, and shall make payment from said fund of annuities granted in pursuance of this act; and shall from time to time make and establish such rules and regulations for the administration of said fund as they shall deem best.

Certain deductions to be made from teachers' pay-roll for said fund.

SEC. 3. Whenever a teachers' pay roll shall be certified to the city auditor for payment, it shall contain a statement of the amount to be deducted from the salary of each teacher who contributes to the support of said fund in accordance with the provisions of this act, which amounts shall be added by said city treasurer to said retirement fund; and all amounts received by said treasurer for said fund, in accordance with the provisions of this act, shall be subject to the order of said board of trustees signed by the president and secretary of said board.

Who may become a beneficiary of said fund.

SEC. 4. Every teacher who has annually contributed to said fund in accordance with the provisions of this act for at least five years, and shall have taught in public schools, if a man, not less than thirty-five years, or if a woman, not less than thirty years, twenty years of which service in both cases shall have been in the public schools of said city next preceding the time of retirement, may be retired and shall have the right voluntarily to retire from such service and become a beneficiary under this act; and every such teacher so retired or retiring shall be entitled to an annuity for the remainder of his or her life, to be paid by said board of trustees out of said fund, equal to one half of the salary of such teacher at the time of such retirement, at the same times and in the same proportions as the salaries of teachers are paid: *Provided*, that the annuity so paid shall in no case exceed six hundred dollars in any one year.

Same subject.

SEC. 5. Every teacher in the public schools of said city, who shall have taught continuously therein not less than

ten years and for not less than five years annually contributed to said fund in the manner provided in this act and has become, without the fault of such teacher, mentally or physically incapacitated for such service, may retire or be retired therefrom and become a beneficiary of said fund in the same manner and to the same extent as provided in section 4 of this act: *Provided*, that such annuity shall cease when such incapacity ceases.

SEC. 6. In case the fund should be insufficient to pay the annuities provided for in section 4 of this act, the board of trustees shall make a ratable distribution among the teachers who may be entitled to annuities under the provisions of this act.

SEC. 7. This act shall take effect from and after its passage.

CHAPTER 540.

Passed April 29, 1898.

AN ACT IN AMENDMENT OF CHAPTER 53 OF THE GENERAL LAWS, "OF THE APPROPRIATION FOR PUBLIC SCHOOLS."

It is enacted by the General Assembly as follows:

SECTION 1. Section 7 of chapter 53 of the General Laws is hereby amended so as to read as follows:

Appropriation for reference books and illustrative apparatus.

"SEC. 7. The sum of four thousand dollars shall be annually appropriated for the purchase of dictionaries, encyclopedias and other works of reference, maps, globes, and other apparatus, for the use of the public schools of the state."

SEC. 2. Section 8 of chapter 53 of the General Laws is hereby amended so as to read as follows:

Apportionment of said appropriation.

"SEC. 8. Said sum of four thousand dollars shall be apportioned among the several towns and districts as follows:

Every town or district desiring to avail itself of this appropriation shall make application therefor to the commissioner of public schools, with vouchers for the amount actually expended. Upon receipt of said application and vouchers the commissioner of public schools may draw his order on the general treasurer in behalf of said applicant, for half the amount of said vouchers, to an amount not exceeding twenty dollars in any one year in favor of any one district, or at the rate of ten dollars for each school, to an amount not exceeding two hundred dollars in any one year for any town: *Provided*, that the gross amount in any one year shall not exceed four thousand dollars."

SEC. 3. This act shall take effect on and after its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

CHAPTER 544.

AN ACT TO SECURE A MORE UNIFORM HIGH STANDARD IN THE PUBLIC SCHOOLS OF THIS STATE.

Passed May 4, 1898.

It is enacted by the General Assembly as follows:

SECTION 1. In case any town shall consolidate three or more ungraded schools, and instead thereof shall establish and maintain a graded school of two or more departments with an "average number belonging" of not less than twenty pupils for each department, the state shall pay to such town one hundred dollars annually for each department of said schools towards the support thereof. Two or more towns may unite in the establishment and maintenance of such graded school, and in such cases the money paid by the state towards the support thereof shall be divided between the towns thus maintaining said school according to the number of pupils contributed by each town to the whole "average number belonging."

Any town may consolidate three or more ungraded schools.

Any district with ungraded school may consolidate with district having graded school.

SEC. 2. In case of the consolidation of any district maintaining an ungraded school with another district maintaining a graded school there shall be paid by the state to the town in which the districts are situated, on account of the latter district, the sum of one hundred dollars annually for each district so consolidated, the same to be used for the support of the aforesaid graded school, or for the transportation of pupils as provided for by section 8 of this chapter.

State aid provided for high school education.

SEC. 3. Any town maintaining a high school having a course of study approved by the state board of education, and in the town of New Shoreham any consolidated district provided for in section 1 of Chapter 57 of the General Laws, shall be entitled to receive annually from the state twenty dollars for each pupil in average attendance for the first twenty-five pupils, and ten dollars for each pupil in average attendance for the second twenty-five pupils. Any town not maintaining a high school, which shall make provision for the free attendance of its children at some high school or academy approved by the state board of education, shall be entitled to receive aid from the state for each pupil in such attendance upon the same basis and to the same extent as if it maintained a high school by itself.

Applications to whom made.

SEC. 4. All applications for aid under this act shall be made to the commissioner of public schools by the school committee of the town; and said application must be accompanied by the certificate of the principal teacher of the school on account of which the application is made, setting forth the facts relating to the attendance which is made the basis of the application.

Provisions against forfeiture.

SEC. 5. After any school, such as is provided for in section 1 of this chapter, has been established it shall not forfeit its claim to its share of the state aid for a failure to maintain the required "average number belonging" unless said "av-

erage number belonging" falls below fifteen for the several departments.

Appropriation.

SEC. 6. The sum of twenty thousand dollars, or so much thereof as may be needed, shall be annually appropriated for the payment of the several sums which may become due and payable under the provisions of this chapter; and the state auditor is hereby authorized and directed to draw his orders on the general treasurer in favor of such towns for such sums as shall be certified to him by the commissioner of public schools as due to said towns under the provisions of this chapter.

Consolidation shall not work forfeiture of any part of public money.

SEC. 7. In the apportionment of the annual appropriation of the one hundred and twenty thousand dollars provided by law for the support of public schools, no town shall forfeit any portion thereof hereafter on account of any reduction in the number of its schools, by reason of the consolidation thereof in accordance with the provisions of this act, but each town shall continue to be entitled to the same amount from said annual appropriation upon the basis of the number of schools prior to such consolidation. (*See Sec. 2, Chap. 53.*)

School committee may consolidate schools, when.

SEC. 8. The school committee of any town may consolidate any schools the average number belonging of each of which is less than twelve, for the purpose of establishing a graded school; and said school committee shall have authority to provide, in their discretion, transportation for pupils to and from school.

Every teacher must have State certificate.

SEC. 9. No person shall be employed to teach, as principal or assistant, in any school supported wholly or in part by public money unless such person shall have a certificate of qualification issued by, or under the authority of, the state board of education. (*See Sec. 8, Chap. 60, and Sec. 1, Chap. 61.*)

Examinations, when and by whom held.

SEC. 10. The state board of education shall hold, or cause to be held, in such places in different parts of the state, and at such times as they may determine, examinations for the position of teacher in the public schools of this state; and said board of education is hereby authorized to issue certificates of qualification which shall be valid throughout the state for the grade and time specified therein.

Annulment of certificate.

SEC. 11. Said board of education may at any time annul for cause any certificate issued by them, after due notice to the holder thereof, and an opportunity for a hearing if desired.

Certificates issued without examination, when.

SEC. 12. Said state board of education may, in their discretion, issue certificates of qualification without examination to persons who have taught in the public schools in this state for three or more years, upon their filing with said board a written application approved by the school committee of the town where the applicant shall have taught the greater part of the three years next preceding the date of the application.

SEC. 13. This act shall take effect on July first A. D. 1898, and all acts and parts of acts inconsistent herewith are hereby repealed.

CHAPTER 545.

Passed May 4, 1898.

AN ACT IN AMENDMENT OF CHAPTER 85 OF THE GENERAL LAWS, "OF PROVISION FOR THE EDUCATION OF DEAF, BLIND, AND IMBECILE CHILDREN."

It is enacted by the General Assembly as follows:

SECTION 1. Section 4 of Chapter 85 of the General Laws is hereby amended so as to read as follows:

"SEC. 4. All bills arising under this chapter shall be examined and approved by the board of education, and the state auditor is hereby authorized to draw his orders on the general treasurer for the payment thereof when properly certified by the secretary of the board and approved by the governor; and a sum not to exceed fourteen thousand dollars, or so much thereof as may be needed, is hereby annually appropriated therefor out of any money in the treasury not otherwise appropriated." Appropriation for education of deaf, blind, and imbecile children.

SEC. 2. This act shall take effect on and after its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

CHAPTER 569.

AN ACT TO PROVIDE FOR THE CREATION AND DISBURSEMENT OF A PUBLIC SCHOOL TEACHERS' RETIREMENT FUND IN THE CITY OF NEWPORT. Passed May 6, 1898.

It is enacted by the General Assembly as follows:

SECTION 1. The school committee of the city of Newport shall have power to establish what shall be known as the public school teachers' retirement fund, which fund shall be administered by the board of trustees hereinafter provided for. Said fund shall consist of School committee of Newport authorized to establish a public school teachers' retirement fund.

First, All moneys received from donations, legacies, gifts, bequests, or otherwise, for or on account of said fund, and also any appropriation which the city council of said city may see fit to make from time to time for the benefit of said fund, which appropriations are hereby authorized to be made by said city council.

Second, On and after September 1, 1898, the school committee of said city shall reserve and turn over to said fund

one per cent. of the salaries paid to teachers who shall, prior to that date, elect to come under the provisions of this act; and one per cent. of the salaries paid to all teachers ap-appointed after said date: *Provided*, that not more than one per cent. of twelve hundred dollars per annum shall be deducted from the salary of any one teacher.

Third, All income or interest derived from the above moneys.

Fund to be administered by or how.

SEC. 2. Three members of the said school committee, chosen annually by said committee, the superintendent of schools, and three representatives to be elected by those teachers of the public schools who contribute to the support of this fund in accordance with section 1 of this act, shall form a board of trustees who shall have charge of and administer said fund, and said board of trustees shall have power to invest and re-invest the same as shall be deemed by them most beneficial to said fund, and shall make payment from said fund of annuities granted in pursuance of this act, and shall from time to time make and establish such rules and regulations for the administration of such fund as they shall deem best. The city treasurer of said city shall be *ex-officio* the treasurer of said fund. Of the three representatives to be elected by the said teachers at the time of their first election, one shall be chosen for a term of one year, one for two years, and one for three years, and thereafter one such representative shall be chosen each year to serve for the term of three years.

Certain deductions to be made from teachers' pay-roll for said fund.

SEC. 3. Whenever a teachers' pay-roll shall be certified to the city auditor of said city for payment, it shall contain a statement of the amount to be deducted from the salary of each teacher who contributes to the support of said fund in accordance with the provisions of this act, which amounts shall be added by said city treasurer to said retirement

fund; and all amounts received by said treasurer for said fund, in accordance with the provisions of this act, shall be subject to the order of said board of trustees, signed by the president and secretary of said board.

Who may become a beneficiary of said fund.

SEC. 4. Every teacher who has annually contributed to said fund in accordance with the provisions of this act for at least five years, and shall have taught in public schools for not less than thirty years, fifteen years of which service shall have been in the public schools of said city, may be retired, and shall have the right voluntarily to retire from such service and become a beneficiary under this act; and every such teacher so retired or retiring shall be entitled to an annuity equal to one half the amount of salary received at the time of retirement, for the remainder of his or her life, to be paid by said board of trustees at the same time and in the same proportion as the salaries of public school teachers in said city are paid: *Provided*, that no annuity shall be paid till such retiring member shall have contributed to the fund a sum equal to all the assessments for thirty years had he been assessed hereunder upon his salary during said term, except under the conditions prescribed in section 5, and *provided* also, that the annuity so paid shall in no case exceed six hundred dollars in any one year.

Same subject.

SEC. 5. Every teacher in the public schools of said city, who shall have taught continuously therein not less than ten years, and for not less than five years annually contributed to said fund in the manner provided in this act, and has become, without the fault of such teacher, mentally or physically incapacitated for such service, may retire or be retired therefrom, and become a beneficiary of said fund in the same manner and to the same extent as provided in section 4 of this act; except that the teacher so retired may at the discretion of the board be exempted from the obligation to make good thirty full assessments as above, and such in-

capacity shall be determined by the attending physician and one sent by the board of trustees, and the annuity shall cease when the incapacity ceases.

Contributors to fund, if dismissed, to receive what proportion of amount by them paid to same.

SEC. 6. Any teacher who shall be dismissed before having served ten years shall receive back all the money which such teacher may have contributed to the fund herein provided for; but if dismissed after ten years and before having served twenty years, shall receive only two thirds of the amount so contributed; and after twenty years only one third of the amount so contributed.

Proceedings in case fund is insufficient to pay annuities.

SEC. 7. In case said fund should be insufficient to pay the annuities provided for in sections 4 and 5 of this act, the board of trustees shall make a ratable distribution thereof among the teachers who may be entitled to annuities under the provisions of this act.

SEC. 8. This act shall take effect from and after its passage.

CHAPTER 587.

Passed June 15, 1898.

AN ACT IN AMENDMENT OF CHAPTER 64 OF THE GENERAL LAWS, ENTITLED "OF TRUANT CHILDREN AND OF THE ATTENDANCE OF CHILDREN IN THE PUBLIC SCHOOLS."

It is enacted by the General Assembly as follows:

Of the attendance of children in the public schools of city of Providence.

SECTION 1. The school committee of the city of Providence shall divide the school year into two school terms of approximately equal length; and every person having under his control a child between the ages of seven and fifteen years residing in said city shall cause such child to regularly attend some public day school in said city for at least the whole of one of such terms in each year, subject to the same penalty and the same provisos as are specified in section 1 of Chapter 64 of the General Laws; and, in said city, attend-

ance as aforesaid shall be required under all the provisions of Chapter 64 of the General Laws in the place and stead of the attendance for eighty full school days specified in said section 1 of said chapter.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect from and after its passage.

CHAPTER 593.

AN ACT TO AUTHORIZE AND EMPOWER THE SCHOOL COMMITTEE OF THE CITY OF PROVIDENCE TO CONTRACT WITH THE BOARD OF TRUSTEES OF THE RHODE ISLAND NORMAL SCHOOL.

Passed June 2, 1898.

It is enacted by the General Assembly as follows:

SECTION 1. The school committee of the city of Providence is hereby authorized and empowered to contract from time to time with the board of trustees of the Rhode Island normal school for the education of children residing in the city of Providence, in schools maintained in the Rhode Island normal school building and controlled by said board of trustees, upon such terms and conditions as may be mutually agreed upon by said school committee and said board of trustees.

Provision for the education of children, residents of Providence, in schools in R. I. Normal School building.

SEC. 2. All expenditures of money by said school committee made necessary by any contract made in pursuance of the authority hereby granted shall be made out of the appropriations made by the city council of the city of Providence for the support of public schools.

Expense of said education how and by whom to be paid.

SEC. 3. This act shall take effect upon its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

CHAPTER 620.

Passed March 3, 1899.

AN ACT IN AMENDMENT OF SECTION 6, CHAPTER 61 OF THE GENERAL LAWS, "OF TEACHERS."

It is enacted by the General Assembly as follows:

SECTION 1. Section 6, Chapter 61 of the General Laws, "Of teachers," is hereby amended so as to read as follows:

Members of school committee and trustees of school districts are ineligible to teach in public schools.

"SEC. 6. No member of the school committee of any town, or trustee of any school district, shall, so long as he continues in said office of member of the school committee or trustee of school district, be eligible or employed to teach as principal or assistant in any school supported entirely or in part by the public money, within the town where said member of the school committee or trustee resides."

SEC. 2. This act shall take effect from and after its passage, and all acts or parts of acts inconsistent herewith are hereby repealed.

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